

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 8 NUMBER 48

Washington, Wednesday, March 10, 1943

The President

EXECUTIVE ORDER 9309

CONTROLLING GOVERNMENT REQUESTS FOR THE SELECTIVE SERVICE DEFERMENT OF FEDERAL EMPLOYEES

By virtue of the authority vested in me by the Constitution and statutes (including the Selective Training and Service Act of 1940, as amended) as President of the United States, and in order to further the prosecution of the war by conserving and most effectively utilizing manpower and by systematizing the handling of necessary selective service occupational deferment of employees in the Executive branch of the Federal Government, it is ordered as follows:

I. LIMITATIONS ON RIGHT TO REQUEST OCCUPATIONAL DEFERMENT

1. No agency shall request the selective service deferment of any employee on occupational grounds except in accordance with the provisions of this Order. No employee shall initiate a request for his own deferment on occupational grounds or advocate the making of such a request on his own behalf.

2. No such request shall be made unless it is determined, in the manner herein provided, that the employee's civilian services are essential in that the loss thereof would substantially impair activities essential to the war effort (including necessary supporting activities and the maintenance of the national health, safety, and interest). In determining whether such an employee's services are thus essential, consideration shall be given to all relevant factors, including the actual effectiveness of the employee, the difficulty of replacing him, his age, his qualifications, his assignment to duties outside the continental United States and the length of his service in the position he occupies or in positions with comparable duties.

3. No such request shall be made for a period longer than is deemed to be absolutely necessary nor for a period of more than six months.

II. ESTABLISHMENT OF COMMITTEES

1. The Chairman of the War Manpower Commission (hereinafter referred to as the Chairman) shall designate with

the approval of the President a chairman and two members of a War Manpower Commission committee to be known as the Review Committee on Deferment of Government Employees (hereinafter referred to as the Review Committee). Such Committee shall be subject to the supervision and direction of the Chairman.

2. The head of each agency shall designate a Committee on Deferment of Government Employees (hereinafter referred to as an Agency Committee), of three to five members possessing a comprehensive view of the needs of the agency. For the purposes of this Order the Government of the District of Columbia shall be deemed to be an agency. Each Agency Committee shall be subject to the supervision and direction of the head of the agency.

3. When authorized by the Review Committee, the head of any agency may also designate regional committees whenever the number and geographical distribution of the personnel of the agency make such action desirable. Within their respective areas such regional committees shall have the authority and responsibility of an Agency Committee; and as used in this Order the term "Agency Committee" shall include a regional committee established under this section.

III. DESIGNATION OF KEY POSITIONS

1. Each Agency Committee, with the approval of the head of the agency, shall submit to the Review Committee for its approval a list of those positions in the agency deemed necessary to carry out activities essential to the war effort or to necessary supporting activities. All such positions approved by the Review Committee shall be known as "key positions." The Review Committee, either on its own motion or upon recommendation made by the Agency Committee and approved by the head of the agency, may revise the list of key positions of that agency as conditions warrant.

2. Key positions shall be limited to positions involving serious difficulty of replacement because a scarcity of available qualified personnel exists and because any incumbent of the position must have had, in order to perform the duties effectively, an extended period of training

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year, payable in advance. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue. Remit money order for subscription or single copies payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C.

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Telephone information: District 0525.

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or specialized experience. The designation of key positions shall be further governed by the following criteria:

a. The work is of a responsible administrative, executive, or supervisory character in activities directly related to the war effort, or to the essential maintenance of orderly government (including the maintenance of the health, morale, and security of the nation); or

b. The work is a part of the actual production, transportation, or handling of war materials, equipment, or commodities, or of the maintenance or operation of war equipment, or of the transportation of war personnel; or

c. The work is of a professional, semi-professional, or highly specialized character, requiring extended training, in an occupation where a known scarcity of manpower exists; or

d. The work usually requires male employees because of peculiar circumstances or requisite physical abilities, including the occupations of seamen, investigatory agents, forest rangers, border patrolmen, prison guards, and other comparable occupations wherein replacement within necessary age limits is difficult.

IV. REQUESTS FOR DEFERMENT

1. In accordance with the provisions of this Order, and subject to the limitations set forth in Part I hereof, an Agency Committee may, in cases not covered by the Replacement Schedule procedure set forth in paragraph 5 of this Part, prepare and submit to the appropriate local selective service board a request for the occupational deferment of—

a. Any employee of the agency who occupies a key position and whose civilian services are essential within the meaning of paragraph 2 of Part I hereof.

b. Any employee of the agency not occupying a key position whose civilian services are essential within the meaning of paragraph 2 of Part I hereof, if unusual and special circumstances, such as the employee's unique fitness for the work or unique familiarity with a specific project in the course of completion make

such deferment request necessary. No request for deferment shall be made under this subparagraph except with the prior specific approval of the Review Committee.

2. Subject to the conditions set forth in this Order, the Agency Committees shall make all requests for selective service occupational deferment of employees of their respective agencies, and shall prepare and submit such requests to local selective service boards in accordance with selective service regulations.

3. In preparing the prescribed selective service form for submitting a request for occupational deferment to the local selective service board, the Agency Committee shall enter on such form the words "Government Request," and shall also indicate thereon the name of the agency and the subordinate part thereof in which the registrant is employed.

4. In any case in which a Government request for deferment is denied by a local selective service board, the Agency Committee concerned shall at once file an appeal from such action. The appeal shall stay the induction of the employee affected until final decision in the case.

5. The Chairman, upon his own motion or upon recommendation made by an Agency Committee and approved by the head of the agency, shall determine, after consultation with the Review Committee, those manufacturing, servicing, operating, and transporting activities of an agency or part thereof with respect to which deferment problems can be best met through use of manning tables and replacement schedules. He shall thereupon direct the head of the agency concerned to prepare and use, with respect to those activities or organizations, manning tables and replacement schedules, in accordance with the regulations prescribed by the Chairman. Such agency or part thereof shall thereafter be exempt from the provisions of Part III of this Order (providing for the designation of key positions) and the provisions of this Order governing the making of requests for deferment of employees to the extent and in the respects provided in the regulations of the Chairman.

V. VOLUNTARY ENTRANCE INTO ARMED FORCES

1. Unless an Agency Committee has requested or would request deferment of an employee under this Order, the agency, upon his request, shall grant him a release to enter the armed forces voluntarily in a commissioned or enlisted status.

2. If an Agency Committee has requested or would request deferment of an employee under this Order, the agency shall deny him such a release unless it is determined that:

a. The employee is likely to be assigned to active combat service; or

b. The employee's skills and ability probably will be utilized equally or more effectively in the armed forces.

3. In the case of an employee who is in a deferred classification, or who is not subject to induction, for reasons unrelated to his occupation, such a release shall be granted or denied without re-

gard to such reasons, in accordance with the provisions of paragraphs 1 and 2 of this Part.

4. When an Agency Committee denies release of an employee, such action shall upon his request be reviewed by the Review Committee. The Agency Committee shall be notified of the final decision, and if the denial is affirmed, such committee shall immediately notify the employee's local selective service board.

VI. DEPENDENCY—OCCUPATIONAL RECLASSIFICATION

Agency Committees may make requests for the selective service reclassification from Class III-A to Class III-B of employees other than those engaged in occupations designated by the Chairman as non-deferable. Such requests shall be made in accordance with standards, to be prescribed by the Chairman, for determining the relationship of employees' activities to the war effort, which standards shall conform, as nearly as may be, to the standards applicable to such reclassification in the case of persons not in the Federal service.

VII. GENERAL PROVISIONS

1. Under regulations to be prescribed by the Chairman, the Agency Committee in each agency shall supervise the preparation and maintenance, on a current basis, of adequate statistics on the selective service status of its male employees, and on related matters, which shall be summarized and reported to the Review Committee at periodic intervals.

2. Heads of agencies shall issue special instructions to insure that an employee will immediately report through proper channels any change in his selective service status or the receipt of notice to report for induction.

3. Each agency shall plan and carry out an orderly program of replacement and training occasioned by the entry or prospective entry of employees into the armed forces, on the basis of the information provided for in paragraph 1 of this Part of this Order.

4. The Chairman shall from time to time make recommendations to the Director of the Bureau of the Budget, based on information and experience acquired in the administration of this Order, for the effective utilization of the services of Government employees with respect to the conservation of manpower.

5. Under regulations to be prescribed by the Chairman, the several agencies shall submit to the Review Committee periodic reports concerning all action taken under this Order. The Review Committee shall currently review such reports and shall consult with Agency Committees with respect to any departments from this Order. The Review Committee may also designate representatives to attend meetings of Agency Committees. Such representatives shall at all times have full access to all records of such Committees.

6. The Chairman shall report to the President, at intervals of not more than three months, with respect to the administration of this Order and shall make recommendations to the President

with respect to such modifications of this Order as he may deem advisable.

7. The Chairman may suspend the authority of any Agency Committee to submit requests for deferment if the Agency Committee submits requests in violation of this Order.

8. A request for deferment of an employee may be cancelled by the Review Committee if it determines that the request was made in violation of this Order.

9. The Chairman shall furnish copies of this Order to all local selective service boards.

10. The Chairman may delegate any of his duties and powers under this Order to any officer or employee of the War Manpower Commission and may utilize the services of any Federal officer, employee, or agency.

11. The Chairman shall prescribe such regulations as may be necessary to carry out the purposes of this Order, including such additional criteria for the designation of key positions as he may deem necessary.

FRANKLIN D ROOSEVELT
THE WHITE HOUSE,
March 6, 1943.

[F. R. Doc. 43-3683; Filed, March 9, 1943;
10:56 a. m.]

EXECUTIVE ORDER 9310

TRANSFERRING THE NUTRITION FUNCTIONS OF THE OFFICE OF DEFENSE HEALTH AND WELFARE SERVICES TO THE DEPARTMENT OF AGRICULTURE

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941, as President of the United States, and in order to enable the Secretary of Agriculture more effectively to carry out his responsibilities with respect to the Nation's food program, it is hereby ordered:

1. The functions, powers, and duties, with respect to nutrition, (a) of the Office of Defense Health and Welfare Services in the Office for Emergency Management of the Executive Office of the President (including all functions, powers, and duties of the Nutrition Division of the Office of Defense Health and Welfare Services), and (b) of the Director of the Office of Defense Health and Welfare Services, are transferred to the Department of Agriculture and shall be administered under the supervision and direction of the Secretary of Agriculture through such agency or agencies in the Department as the Secretary shall designate.

2. The personnel, property, and records used primarily in the administration of the functions, powers, and duties transferred by this Order are transferred to the Department of Agriculture. So much of the unexpended balances of appropriations, allocations, and other funds available for the use of the Office of Defense Health and Welfare Services in discharging the functions, powers, and duties transferred by this Order, as the Director of the Bureau of the Budget shall determine, shall be transferred to the Department of Agriculture for use in connection with the exercise of the func-

tions, powers, and duties so transferred. In determining the amounts to be transferred hereunder, allowance shall be made for the liquidation of obligations previously incurred against such appropriations, allocations, or other funds.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 6, 1943.

[F. R. Doc. 43-3681; Filed, March 9, 1943;
10:56 a. m.]

EXECUTIVE ORDER 9311

ENLARGING THE SQUAW CREEK NATIONAL WILDLIFE REFUGE

MISSOURI

By virtue of the authority vested in me as President of the United States, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that the following-described lands, comprising 374.64 acres, more or less, acquired by the United States in Holt County, Missouri, be, and they are hereby, reserved and set apart for the Department of the Interior, subject to valid existing rights, as an addition to and a part of the Squaw Creek National Wildlife Refuge, established by Executive Order No. 7156 of August 23, 1935, as the Squaw Creek Migratory Waterfowl Refuge, the name of which was changed to Squaw Creek National Wildlife Refuge by Proclamation No. 2416, of July 25, 1940:¹

FIFTH PRINCIPAL MERIDIAN

T. 61 N., R. 38 W., sec. 7, fractional S $\frac{1}{2}$ of lot 2 in NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;

T. 61 N., R. 39 W.,
sec. 1, E $\frac{1}{2}$ south and east of the southeasterly right-of-way boundary of the Chicago, Burlington & Quincy Railroad;
sec. 10, SE $\frac{1}{4}$ NE $\frac{1}{4}$ south and east of the southeasterly right-of-way boundary of the Chicago, Burlington & Quincy Railroad;
sec. 36, N $\frac{1}{2}$ SE $\frac{1}{4}$ east of the easterly right-of-way boundary of the Chicago, Burlington & Quincy Railroad, and NW $\frac{1}{4}$ SE $\frac{1}{4}$.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 6, 1943.

[F. R. Doc. 43-3682; Filed, March 9, 1943;
10:56 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

[FDO 1, Amendment 3]

PART 1404—BAKERY PRODUCTS

MANUFACTURE AND SALE

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, Food Distribution Order

¹ 5 F.R. 2677.

No. 1, § 1404.1, as amended (7 F.R. 11105; 8 F.R. 828, 1177), is amended to read as follows:

§ 1404.1 *Manufacture and sale of bakery products*—(a) *Definitions*. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "baker" means any person who is engaged in the commercial manufacture of any berry product, excluding, however, baking at institutions, hotels, and restaurants in connection with the service of meals at such establishments.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "bread" shall include all types of bread such as white, rye, raisin, and whole wheat types.

(4) The term "pan bread" means bread which is baked in a pan as distinguished from bread which is baked on the hearth, in sheets, or on screens.

(5) The terms "twisting" means the twisting together of two or more pieces of dough to form a loaf of bread baked in a pan; *Provided*, That it shall not include the twisting or braiding of dough for the Jewish ritual bread containing eggs which is sold under the name "Chalah" or variations of that name.

(6) The term "cross-panning" means placing in a bread baking pan at right angle to its length, two or more pieces cut from dough which has passed through the bakery machine commonly known as a mold.

(7) The term "variety" means any different formula, type, weight, shape, or topping of bread or rolls.

(8) The term "rolls" shall include plain white rolls and buns of the semi-bread dough type, such as soft rolls, hamburger, hot dogs, Parkerhouse, etc.; hard rolls, such as Vienna, Kaiser, etc., all made without fillings or icing, but shall not include yeast raised sweet rolls or sweet buns (cinnamon rolls or buns, butterfly rolls, etc.).

(9) The term "enriched" means that the bread has been made from enriched flour containing the ingredients in the quantities required by the regulations under the Food, Drug and Cosmetic Act, or that equivalent ingredients have been added to plain flour during the mixing of the dough.

(10) The term "bakery products" mean bread, rolls, sweet rolls, cakes, pies, cookies, doughnuts, biscuits, crackers, pretzels, ice cream cones and similar products prepared by bakers.

(11) The term "Director" means the Director of Food Distribution, United States Department of Agriculture or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions*. (1) No baker may perform the process of twisting or cross-panning in the manufacture of any pan bread. The making of twin loaves shall not be construed as cross-panning under this restriction.

(2) No baker may prepare or deliver any bread or rolls packaged in more than one thickness of wrapping material except as permitted by the provisions of

paragraph (3), and except that more than one thickness is permitted on the areas of closure, and where necessary in the packaging of rolls with cardboard bottoms or ends, or cardboard trays.

(3) No baker or other seller of bread or rolls shall use inserts, outserts, or end labels on any bread except that one insert, one outsert, or one end label may be used where such insert, outsert, or end label provides the only label identification or provides a required label correction, such insert, outsert, or end label not to exceed three inches in width.

(4) No baker or other seller of bakery products, baking company, its officers, agents, employees, subsidiaries, affiliates, or any person acting for or under subsidy from any baker or baking company shall sell on consignment, or shall deliver or otherwise distribute for sale any bakery products and agree in any manner to accept return, resume possession, or give refund, credit, exchange, or allowance in connection therewith.

(5) No baker shall make in any one bakery more varieties of bread or rolls than he made in such bakery during the first week of December 1942 and, in any case, the maximum number of varieties of bread and rolls which may be made or sold by any baker in or from such bakery during any one week shall be (a week shall begin at 12:01 a. m. Sunday):

(i) Bread and rolls for sale to or distribution through retail stores including chain grocery stores (not including restaurants, hotels, institutions, or bakeries operated by bakers who own or control retail outlets and whose primary business is the making and selling of bakery products direct to consumers).

(a) Six varieties of machine molded bread, of which not more than three shall be white pan bread;

(b) Ten varieties of hand molded bread; and

(c) Three varieties of rolls.

(ii) Bread and rolls for sale to restaurants, hotels and institutions.

(a) Ten varieties of bread, of which not more than three shall be white pan bread; and

(b) Nine varieties of rolls.

(iii) Bread and rolls for direct sale to consumers.

(a) Fifteen varieties of bread, of which not more than three shall be white pan bread; and

(b) Nine varieties of rolls.

The provisions of (b) (5) of this order shall not apply to religious ritual breads when sold for and on the occasion of the religious holidays to which they are appropriate.

(6) No baker shall provide or furnish racks, stands, or other equipment to any person, nor shall replace racks, stands or other equipment heretofore provided or furnished.

(7) All white bread shall be enriched, shall contain not less than 3 parts nor more than 4 parts of solids of milk or skim milk to 100 parts of flour, and shall contain not more than 2 parts of shortening and not more than 4 parts of sugar or other related fermentable carbohydrate solids. All parts shall be determined by weight of material used: *Provided*, That white bread other than pan bread may for a period of 90 days

from the effective date of this order contain less than 3 parts of solids of milk or skim milk.

(c) *Reports*. Bakers and other sellers of bread or rolls to whom this order applies shall execute and file such reports upon such forms as the Director may request or direct, and within such time as he may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(d) *Records*. Bakers shall keep and preserve for not less than two years accurate records concerning all purchases and sales of baking ingredients and bakery products as well as of production (this record keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942)

(e) *Audit and inspection*. Every person subject to this order shall upon request permit inspection at all reasonable times of his stocks of bakery products and the premises used in his business, and all his books, records and accounts shall upon request be submitted to audit and inspection by the Director.

(f) *Violations*. Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(g) *Petition for relief from hardship*. Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(h) *Delegation of authority*. The Director is hereby designated and empowered to administer the provisions of this order.

(i) *Communications to Department of Agriculture*. All reports required to be filed hereunder and all communications concerning this order, shall unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref.: FD-1.

(j) *Effective date*. This order shall become effective on the date of its issuance.

(E.O. 9280, 7 F.R. 10179)

Issued this 6th day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3656; Filed, March 8, 1943;
3:10 p. m.]

[FDO 29]

PART 1460—FATS AND OILS

RESTRICTIONS ON THE USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of cottonseed, peanut, soybean, and corn oil to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1460.13 *Cottonseed, peanut, soybean, and corn oil; restrictions on use and distribution*—(a) *Definitions*. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "crude oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, and which has not been refined.

(2) The term "refined oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, which has been refined, and which may or may not have been further processed. Such processing may include, but is not limited to, bleaching, deodorizing, winterizing, or hydrogenation.

(3) The term "refiner" means any person who accepts delivery of crude oil for the purpose of refining, and who may or may not process refined oil, produced by him or acquired from any other person, further in the manufacture of shortening, cooking oil, salad oil, or margarine.

(4) The term "margarine manufacturer" means any person who accepts delivery of refined oil for use in the manufacture of margarine.

(5) The term "non-refining shortening manufacturer" means any person who accepts delivery of refined oil for use in the manufacture of shortening, cooking oil, or salad oil, and who does not own, control, or operate a refinery for refining crude oil.

(6) The term "industrial user" means any person, other than a refiner, who accepts delivery of crude or refined oil, for any use other than the manufacture of an edible product. A manufacturer of medicinal preparations shall be deemed to be an industrial user hereunder.

(7) The term "person" means any individual, partnership, corporation, association, or other business entity.

(8) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(9) The term "receiving notice from the Director" shall include, but is not limited to, the delivery of a telegram or letter from the Director to an employee of the person concerned at the business address of such person.

(b) *Restrictions on delivery of crude oil*. No person shall deliver and no person, except an industrial user, shall accept delivery of crude oil, unless specifically authorized or directed by the Director.

(c) *Restrictions on delivery of refined oil*. No person shall deliver refined oil to a refiner, margarine manufacturer, or non-refining shortening manufacturer and no refiner, margarine manufacturer, or non-refining shortening manufacturer shall accept delivery of refined oil, unless specifically authorized or directed by the Director.

(d) *Restrictions on the use of crude oil*. No person, other than an industrial user, shall use crude oil except in such quantities and for such purposes as the Director shall specifically authorize or direct.

(e) *Applications for authorizations*. Applications for authorizations required by this order shall be made on such forms, in such manner, for such periods, and at such times as the Director shall prescribe.

(f) *Effective period of authorizations*. No person shall deliver crude or refined oil pursuant to or in reliance on any authorization or directive which has expired at the time of such delivery. The Director shall prescribe in each authorization for delivery the time in which delivery may be made thereunder. Such time may be extended by the Director, in his discretion, upon application.

(g) *Further allocations*. No person, after receiving notice from the Director to refrain from delivering or using any crude or refined oil acquired by him pursuant to an authorization or directive issued hereunder, shall deliver or use such oil, except upon further specific authorization of the Director.

(h) *Intra-company deliveries*. The provisions and restrictions of this order with respect to delivery of crude oil shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(i) *Contracts*. All contracts heretofore or hereafter entered into for the purchase or sale of crude or refined oil shall be subject to any allocation made pursuant to this order.

(j) *Delivery*. For the purposes of this order:

(1) A person shall be deemed to have delivered crude or refined oil upon the occurrence of any one of the following:

(i) The delivery by such person of such oil to a common carrier and the issuance of a bill of lading therefor; or

(ii) The loading of such oil in a truck or tank wagon furnished by the person to whom delivery is to be made; or

(iii) The unloading of such oil in a plant or storage tank which is owned, leased, or controlled by the person to whom delivery is to be made.

(2) A person shall be deemed to have accepted delivery of crude or refined oil upon the occurrence of any one of the following:

(i) The acquisition by such person of a bill of lading issued by a common carrier for such oil; or

(ii) The loading of such oil in a truck or tank wagon furnished by such person; or

(iii) The receiving of such oil in a plant or storage tank which is owned, leased, or controlled by such person.

(k) *Records and reports*. Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe. (Specific recording or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.)

(l) *Audits and inspections*. Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of fats and oils and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(m) *Violations*. Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(n) *Petition for relief from hardship*. Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(o) *Communications to Department of Agriculture*. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref.: FD-29.

(p) *Effective date*. This order shall become effective on the 16th day of April 1943, at 12:01 a. m., e. w. t.

(E.O. 9280; 7 F.R. 10179)

Issued this 6th day of March 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-3685; Filed, March 9, 1943;
11:17 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4778]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

JOHNSON SMITH & COMPANY

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with offer, etc., in commerce, of respondents' watches, (1) using the word "Railroad" or the words "Railroad Type", or any other word or words of similar import, to designate or describe any watch which is not in fact a railroad watch possessing the accuracy and dependability required of watches used by railroad employees engaged in the operation of trains; and (2) representing in any manner that respondents' watches are railroad watches when such is not the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Johnson Smith & Company, Docket 4778, March 3, 1943].

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3rd day of March A. D. 1943.

In the matter of Alfred Johnson Smith, Paul Smith, and Arthur Smith, copartners doing business as Johnson Smith & Company.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by respondents and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Alfred Johnson Smith, Paul Smith, and Arthur Smith, individually and trading as Johnson Smith & Company, or trading under any other name, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondents' watches in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Railroad" or the words "Railroad Type," or any other word or words of similar import, to designate or describe any watch which is not in fact a railroad watch possessing the accuracy and dependability required of watches used by railroad employees engaged in the operation of trains.

2. Representing in any manner that respondents' watches are railroad watches when such is not the fact.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file

with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

A. N. ROSS,
Acting Secretary.[F. R. Doc. 43-3690; Filed, March 9, 1943;
11:35 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in these subchapters issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 3, as Amended March 9, 1943]

UNIFORM METHOD OF APPLICATION AND EXTENSION OF PREFERENCE RATINGS

§ 944.23 *Priorities Regulation 3—(a) Definitions.* For the purposes of this regulation:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) "Assignment" of a preference rating means the granting to any person, by order or certificate issued by or under the authority of the Director General for Operations, of the right to use such rating.

(4) "Application" of a preference rating means the use of the rating by the person to whom it is initially assigned by or under the authority of the Director General for Operations, and includes the initial issuance by any governmental agency, under authority of the Director General for Operations, of a preference rating certificate rating a delivery to be made directly to such agency.

(5) "Extension" of a preference rating means the use of the rating by any person to whom it is applied or extended by another person.

(b) *General provisions.* (1) Except to the extent otherwise provided in Priorities Regulation No. 11 (§ 944.32) with respect to persons required or permitted to qualify under the production requirements plan, any person may apply a preference rating assigned to him by any preference rating certificate or preference rating order issued to him in his name or as one of a class, and any person may extend any rating which has been applied or extended to deliveries to be made by him, subject to the provisions of this regulation.

(2) A preference rating may be applied by the person to whom it is assigned only to the specific quantities and kinds of material authorized, or to the mini-

mum required amounts of material when no specific quantities are authorized. Any rating which has been applied or extended by others to deliveries to be made by a person may, subject to the provisions of this regulation, be extended by such person in order to obtain not more than the same amount and kind of material (except as specified in paragraph (c) (3) of this regulation) which he has delivered or is required to deliver pursuant to such rating.

(3) No person shall duplicate, in whole or in part, purchase orders which he has placed with one or more suppliers for delivery of material to which he has applied or extended a rating, in such manner that the amount of the material ordered exceeds the amount to which he is authorized to apply or extend the rating, even though he intends to cancel or reduce his purchase orders to the authorized amount prior to completion of delivery.

(c) *Extension of ratings.* The following provisions shall be applicable to all extensions of preference ratings notwithstanding any inconsistent provisions of the preference rating certificate or preference rating order assigning the rating, except to the extent otherwise provided in Priorities Regulation No. 11 (§ 944.32) with respect to persons required or permitted to qualify under the production requirements plan. No preference rating may be extended to the delivery of any material except:

(1) Material which will itself be delivered by the person extending the rating on a delivery bearing the rating which is being extended, or which will be physically incorporated into material to be so delivered, including the portion of such material normally consumed or converted into scrap or byproducts in the course of processing; or

(2) Material which is required to replace in inventory material so delivered or incorporated. Material shall not be deemed to be required if the delivery can be made and a practicable working minimum inventory of such material still retained; and if, in making delivery, the inventory is reduced below such minimum, the rating may be extended to replace such material only to the extent necessary to restore the inventory to such minimum: *Provided, however,* That the material ordered for replacement must be substantially the same as the material delivered or incorporated in the material delivered, subject only to minor variations in size, shape or design or substitutions of less scarce materials, which in any case do not substantially alter the purpose for which the same is to be used; or

(3) Maintenance, repair and operating supplies, but only if ordered for March 31, 1943, or prior delivery, and only subject to the following conditions and limitations:

(i) The amount of maintenance, repair and operating supplies obtained by any person under this regulation and under any preference rating ("P") order (except P-100) assigning a rating to such person shall not, in the aggregate, exceed during any period the limit, if any, specified in such preference rating

order for use of the rating thereby assigned;

(ii) The cost of all maintenance, repair and operating supplies obtained by any other person by extension of a rating shall not exceed in any month ten percent of the cost of materials described in subparagraphs (1) and (2) of this paragraph (c) to which the same grade of rating is extended during the same month (or, if such materials are obtained without preference rating assistance, to which the same grade of rating could be extended, during such month if priorities assistance were needed);

(iii) The cost of maintenance, repair and operating supplies consisting of metals in any of the forms listed on the Metals List attached to Priorities Regulation No. 11 (§ 944.32) to which the rating is extended in any month shall not in any event exceed two and one-half percent of the cost of materials described in said subparagraphs (1) and (2) to which the same grade of rating is extended during the same month (or, if such materials are obtained without preference rating assistance, to which the same grade of rating could be extended during such month if priorities assistance were needed);

(iv) The term "maintenance, repair and operating supplies" as used in this subparagraph (3) shall include only those supplies which are actually required for directly processing the material described in subparagraph (1) or (2) above of this paragraph (c) or for maintenance or repair of production machinery and equipment used in such processing. It does not include any of the following regardless of whether normally carried as operating supplies according to established accounting practices:

(a) Materials for maintenance or repair of buildings.

(b) Fabricated containers (in knock-down or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered.

(c) Printed matter, stationery and office supplies.

(d) Paper, paperboard and products manufactured therefrom; molded pulp products.

(e) Fuel or electric power.

(f) Office machinery or office equipment.

(g) Clothing, shoes or other wearing apparel, if made of leather or textiles, except that the following types may be included in operating supplies when specially designed and used to furnish protection against specific occupational hazards (other than weather):

(1) Asbestos clothing.

(2) Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.

(3) Safety industrial rubber gloves and hoods and lineman's rubber gloves and sleeves.

(4) Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.

(5) Other safety leather gloves or mittens, but only if steel stitched or steel reinforced.

(6) Safety industrial leather clothing other than gloves or mittens.

(7) Metal mesh gloves, aprons and sleeves.

(8) Plastic and fibre safety helmets.

(h) Materials for plant expansion or plant construction.

(v) In cases where the material to be processed is furnished by the customer, the cost thereof to the customer shall, for the purposes of this paragraph (c) (3), be taken instead of cost to the processor and the month in which the processing order is placed shall be taken in lieu of the month in which the material to be processed is ordered.

(vi) Maintenance, repair and operating supplies on orders calling for delivery after March 31, 1943, should be procured as provided in CMP Regulation No. 5.

A person may not extend a rating to any materials in excess of the quantities specified in this paragraph (c) nor to materials for plant improvement, expansion or construction, to machine tools or other capital equipment, to business machines whether purchased or leased, or to maintenance, repair or operating supplies other than those specified above in subparagraph (3) of this paragraph (c).

(d) *Method of application or extension.*

(1) Any person authorized to apply or extend preference ratings may do so:

(i) On a written contract or purchase order, by endorsing on, or attaching to, each contract or purchase order placed by him to which the rating is to be applied or extended, a certification in substantially the following form signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this purchase order, and that such application or extension is in accordance with Priorities Regulation No. 3 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser and PRP Certificate No. if Purchaser is a PRP Unit)	(Address)
By _____	_____
(Signature and Title of Duly Authorized Officer)	(Date)

(ii) On a purchase order placed by telegraph, by including in the telegram the following abbreviated certification: "Ratings certified". The requirements for manual signature or authorization under Priorities Regulation No. 7 (§ 944.27) will be satisfied in such case if the copy of the outgoing telegram retained by the person placing the order is signed or authorized in the manner provided in that regulation.

(iii) On a purchase order placed by telephone and requiring shipment within seven days, by stating to the supplier at the time of placing the order the substance of the certification set forth in subdivision (i) of this paragraph (d)

(1): provided, however, in such case, that the person making the statement is an official duly authorized to make such certification, and the person making the statement furnishes to the supplier within fifteen days after placing the purchase order confirmation in writing describing the material ordered and bearing a certification of such preference rating substantially in the form prescribed by subdivision (i) of this paragraph (d) (1). No preference rating received by telephone shall be extended by the supplier to replace in inventory any material delivered, until receipt by the supplier of the written confirmation herein required. On or before the twentieth day of each month, any supplier who has received in the prior month a preference rating applied or extended by telephone shall notify the War Production Board, Compliance Division, of any case in which a purchaser has failed to furnish to him the written certification when due.

(iv) The person receiving the certification and rating shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false. Each person applying or extending a rating must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to apply or extend such rating, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection. In addition thereto, each person applying or extending a rating shall execute and file with the War Production Board all reports and questionnaires required by the applicable preference rating certificate or preference rating order and such other reports and questionnaires as said Board shall from time to time request.

(2) Such certification may be used in lieu of any other form of certification required by the terms of any regulation, preference rating order or preference rating certificate (including, without limitation, the instructions accompanying Forms PD-1A, PD-3A and PD-25A) as a means of applying or extending a preference rating and in lieu of furnishing any copy of any preference rating order required thereby; except that the provisions of Priorities Regulation No. 9 (§ 944.30) with respect to the method of applying (but not extending) preference ratings covering certain types of exports must be complied with when ratings are applied pursuant to that regulation.

(3) Notwithstanding the requirements of any applicable preference rating order or certificate,

(i) A person may defer extending any rating for a period of not more than three months after he becomes entitled to extend the same;

(ii) Ratings of the same grade assigned by different preference rating

certificates or orders may be combined and extended to a single delivery; and

(iii) Ratings of different grades, whether assigned by the same or different preference rating certificates or orders, may be extended to deliveries under a single purchase order provided the amount of each material to which a particular grade of rating is extended is shown either as a separate item, or on a percentage basis where the material involved is of such type and in such quantities that the supplier can readily determine, from percentage figures alone, the exact effect of the extension of the rating on his production and delivery schedule. To the extent necessary to avoid production or delivery of material in quantities smaller than the minimum commercially practicable, items to which ratings of different grades might be extended may be combined and the rating of the lowest grade extended to the total production or delivery.

(4) In addition to complying with the foregoing requirements of this paragraph (d), any person applying or extending a preference rating shall include on his purchase order or contract such information (except designation of the number or serial number of the preference rating certificate or preference rating order assigning the rating) as may be required by the terms of any applicable order of the Director General for Operations and which the person placing the purchase order is able to furnish.

(e) *Applicability of other restrictions.* Except as expressly otherwise provided in paragraphs (c) and (d) of this regulation, the application or extension of any rating shall be subject to any applicable restrictions contained in any order of the Director General for Operations assigning the preference rating in question or regulating transactions in the material involved, including, without limitation, restrictions as to the kind and amount of material to which preference ratings may be applied or extended, requirements of countersignature or other written approval of particular transactions, and restrictions on the use of material.

(f) *Effect on existing certificates and orders.* All existing forms of preference rating certificates issued by or under authority of the Director of Priorities, the Director of Industry Operations or the Director General for Operations are continued in full force and effect, and additional certificates on such forms may continue to be issued by the persons now or hereafter authorized to issue the same until such authority is revoked or amended, subject to the provisions of this and other regulations of the Director General for Operations. All certificates and all existing orders of the Director of Priorities, the Director of Industry Operations and the Director General for Operations are to be deemed amended by this regulation only where and to the extent that the provisions of this regulation indicate that it is to control.

Issued this 9th day of March 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-3687; Filed, March 9, 1943; 11:32 a. m.]

PART 987—COBALT

[General Preference Order M-39 as Amended March 9, 1943]

Section 987.1 *General Preference Order M-39* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cobalt for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 987.1 *General Preference Order M-39*—(a) *Definitions.* For the purposes of this order:

(1) "Cobalt" means and includes:

(i) Ores, concentrates, and crudes, including beneficiated or treated forms containing cobalt (commercially recognized).

(ii) Cobalt metal, cobalt oxide, and other primary chemical compounds which result from the processing of cobalt ores, concentrates, crudes or residues; but not including products or by-products from which cobalt is not commercially recoverable.

(iii) All scrap or secondary material containing commercially recoverable cobalt as defined in (i) and (ii) above, excluding cobalt bearing iron and steel scrap.

(b) *Refining ores.* The Director General for Operations from time to time may direct the purposes for which any of the forms of cobalt specified in paragraph (a) (1) (i) above shall be refined or otherwise processed.

(c) *Restrictions on deliveries.* (1) Except as permitted in paragraph (c) (2), no person shall deliver or accept delivery of cobalt without the specific authorization of the Director General for Operations. The Director General for Operations will from time to time allocate the supply of cobalt and specifically direct the manner and quantities in which deliveries to particular persons or for particular uses shall be made or withheld. Such allocations and directions may be made without regard to any preference ratings assigned to particular contracts or purchase orders. The Director General for Operations may also, in his discretion, require any person seeking to place a purchase order for cobalt to place the order with one or more particular suppliers.

(2) *Permissible deliveries.* Until further order or in the absence of a contrary direction by the Director General for Operations, the following transactions are permitted without specific authorization by the Director General for Operations:

(i) Cobalt in any form may be delivered by any person to the Metals Reserve Company or to any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U.S.C., section 606 (b)), or to any duly authorized agent of any such corporation.

(ii) Deliveries of cobalt in any form may be made and accepted by any per-

son in quantities of 25 pounds or less contained cobalt, provided that the total quantity acquired by any person pursuant to this subparagraph, in any calendar month from all sources of supply, shall be limited to 25 pounds contained cobalt.

(d) *Reports and applications.* (1) No person shall be entitled to receive an allocation in accordance with paragraph (c) (1) above unless, not later than the 20th day of the month next preceding the month in which delivery is scheduled, he shall have filed with the War Production Board reports on Forms PD-581 and PD-582 as revised. Failure of any person to file a report in the manner and on the date required by this subparagraph may be construed as notice to the Director General for Operations and to all suppliers of cobalt that such person does not desire an allocation of cobalt during the succeeding month.

(2) Any person who on the first day of a calendar month has in his possession or under his control a quantity of cobalt in any of the forms specified in paragraph (a) above in excess of 100 pounds (contained cobalt) shall file a report with the War Production Board on Form PD-581 on or before the 20th day of such month, whether or not such person applies for an allocation of cobalt for delivery during the succeeding month.

(3) Each refiner or processor of cobalt ores, concentrates or crudes in any of the forms specified in paragraph (a) (1) (i) above shall on or before the 20th day of each month file with the War Production Board on Form PD-581 his production schedule for the succeeding month.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.

(g) *Communications to War Production Board.* All reports and applications required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Steel Division, Ferro-Alloys Branch, Washington, D. C., Reference: M-39.

Issued this 9th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3688; Filed, March 9, 1943; 11:32 a. m.]

PART 3147—PHOTOGRAPHIC FILM AND FILM BASE

[General Limitation Order L-233 as Amended March 9, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials for film and film base for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3147.1 *General Limitation Order L-233—(a) Definitions.* For the purposes of this order:

(1) "Amateur-type still film" means roll films and 35 millimeter perforated films (whether packaged as cartridges, spools or in bulk) except 35 millimeter motion picture film.

(2) "Amateur-type motion picture film" means 8 and 16 millimeter reversal-type motion picture film.

(3) "Cut-sheet film" means film packaged in lots of individual flat pieces including film packs, but excluding X-ray film.

(4) "Group I products" means amateur-type still films and amateur-type motion picture films.

(5) "Group II product" means cut-sheet film.

(6) "Group III product" means 35 millimeter motion picture film.

(7) "Restricted film" means Group I, Group II and Group III products, and film base for such products.

(8) "Base period" means the calendar year 1941.

(9) "Manufacturer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not, engaged in the business of producing any film or film base whatsoever.

(10) "Preferred order" means any order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Government of Canada, the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), and government agencies or other persons acquiring film or film base for export to and consumption or use in, any foreign country.

(b) *General restrictions.* No manufacturer shall:

(1) On and after December 16, 1942, produce any restricted film other than for preferred orders except in accordance with the provisions of paragraph (c) of this order;

(2) On and after January 1, 1943, produce and sell, lease, trade, ship, lend or transfer any restricted film pursuant to a preferred order except in accordance with the provisions of paragraph (d) of this order;

(3) On and after January 1, 1943, produce any film or film base other than restricted film, whether or not such production is pursuant to a preferred order except in accordance with the provisions of paragraph (e) of this order.

(c) *Limitations on production of restricted film other than for preferred orders.* (1) During the month of December, 1942, no manufacturer shall produce more film base (excluding preferred orders) intended to be used by any person for the production of finished Group I, Group II or Group III products than the following percentages of such film base (including preferred orders) produced by him during the base period:

(i) Film base for Group I products, 5%.

(ii) Film base for Group II product, 7%.

(iii) Film base for Group III product, 7%.

(2) During the month of December 1942, no manufacturer shall produce more finished Group I, Group II or Group III products (excluding preferred orders) than the following percentages of such finished film (including preferred orders) produced by him during the base period:

(i) Group I products, 5%.

(ii) Group II product, 7%.

(iii) Group III product, 7%.

(3) During the three months period beginning January 1, 1943, and for each three months period thereafter, no manufacturer shall produce more film base (excluding preferred orders) intended to be used by any person for the production of finished Group I, Group II or Group III products than the following percentages of such film base (including preferred orders) produced by him during the base period:

(i) Film base for Group I products, 12½%.

(ii) Film base for Group II product, 19%.

(iii) Film base for Group III product, 19%.

(4) During the three months period beginning January 1, 1943, and for each three months period thereafter, no manufacturer shall produce more finished Group I, Group II or Group III products (excluding preferred orders) than the following percentages of such finished film (including preferred orders) produced by him during the base period:

(i) Group I products, 12½%.

(ii) Group II product, 19%.

(iii) Group III product, 19%.

(5) On or after March 9, 1943, no manufacturer shall produce or transfer any restricted film pursuant to a preferred order except in accordance with the provisions of paragraph (d) of this order.

(d) *Limitations on production and delivery of restricted film for preferred orders.* On or before December 20, 1942, and on or before the first day of each third succeeding calendar month thereafter, each manufacturer shall file with the Director General for Operations a statement in writing in quadruplicate which shall include:

(1) Such manufacturer's proposed production schedule of restricted film for preferred orders so far as then planned, but in any event, for not less than the next succeeding calendar quarter.

(2) His proposed delivery schedules of restricted film for preferred orders so far as then planned, but in any event for

not less than the next succeeding calendar quarter.

The Director General for Operations shall notify manufacturers of his approval or disapproval of the production and delivery schedules for the calendar quarter or more covered in the report. Either at the time the schedule is initially filed by the manufacturer, or at any time thereafter, the Director General for Operations may change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production or deliveries for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer or theretofore approved by the Director General for Operations; allocate any order listed on the report to any other manufacturer; or direct the delivery of any restricted film whether or not produced pursuant to a preferred order, to any other person, at the established price and terms. No manufacturer shall produce or deliver any restricted film pursuant to a preferred order, except in accordance with schedules approved or prescribed by the Director General for Operations as above provided; and no manufacturer shall alter any such approved or prescribed production or delivery schedules unless authorized or directed to do so by the Director General for Operations. In connection with the delivery of any Group III product, the Director General for Operations may direct that such Group III product be delivered in accordance with the restrictions contained in General Limitation Order L-178 as amended from time to time (§ 3032.1).

(e) *Limitations on production of film and film base other than restricted film.* On or before December 20, 1942, and on or before the first day of each third succeeding calendar month thereafter, each manufacturer shall file with the Director General for Operations a statement in writing in quadruplicate which shall include such manufacturer's proposed production schedule for any film or film base whatsoever (including preferred orders) other than restricted film so far as then planned, but in any event, for not less than the next succeeding calendar quarter.

The Director General for Operations shall notify manufacturers of his approval or disapproval of the production schedules for the calendar quarter or more covered in the report. Either at the time the schedule is initially filed by the manufacturer, or at any time thereafter, the Director General for Operations may change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer, or theretofore approved by the Director General for Operations; allocate any order listed on the report to any other manufacturer. No manufacturer shall produce any film or film base whatsoever (including preferred orders) other than restricted

FOR SHIPMENTS FROM ALL MINES

		Prices and size group Nos.									
		1	2	3	4	5	6	7	8	9	10
R.....	560	555	580	520	505	485	410	455	400	425	250
W.....				545	530	510	435	485	435	455	325

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.

FOR SHIPMENTS FROM ALL MINES

		Prices and size group Nos.									
		1	2	3	4	5	6	7	8	9	10
R.....	610	605	580	570	555	535	460	505	450	475	300
W.....				595	580	560	485	535	485	505	375

Explanation of symbols used:
R=Raw
W=Washed or otherwise mechanically cleaned.

applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipment plus a sum not exceeding 80 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraph above, but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and uses indicated in (2) above forty (40) cents to Size Groups 2, 6, and 7.
This Amendment No. 47 shall be effective as of March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3618; Filed, March 6, 1943; 5:10 P. M.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306; Amendment 2]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment

is F. R. 1114, 1313.

minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents per net ton.

(3) Maximum prices in cents per net ton for railroad locomotive fuel.

Sizes of Coal	Prices and production group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Railroad locomotive fuel (any size not specifically listed below)	270	270	270	310	310	285	270	270	270	270	270
3" x 1/2" unwashed	260	265	265	265	265	265	265	265	265	265	265
3" x 3/4" unwashed	245	245	245	245	245	245	245	245	245	245	245
3" x 0" stoker screenings with 1/2 of fines removed	230	230	230	230	230	230	230	230	230	230	230
3" x 0" unwashed	230	230	230	230	230	230	230	230	230	230	230
1 1/2" x 0" washed or unwashed	230	230	230	230	230	230	230	230	230	230	230
1 1/2" x 0" unwashed	230	230	230	230	230	230	230	230	230	230	230

PART 1340—FUEL
[MPR 120; Amendment 47]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1340.216 (b) is amended to read as set forth below:

§ 1340.216 Appendix E: Maximum prices for bituminous coal produced in District No. 5.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.

(3) Maximum prices in cents per net ton for railroad fuel. The maximum prices for railroad fuel shall be the

*Copies may be obtained from the Office of Price Administration.

- 17 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5660, 5607, 5827, 6835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6898, 7777, 7670, 7914, 7942, 8334, 8650, 8948, 9793, 10470, 10581, 10780, 10993, 11008, 11012;
- 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2273, 2284, 2501, 2497, 2313.

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. The maximum prices for shipment by truck or wagon shall be the applicable effective

(4) Maximum prices in cents per net ton for Oklahoma Smithing Coal from Production Group No. 12 to all destinations.

(i) Crushed mine run, bulk, 595 cents per net ton.
(ii) Crushed mine run, sacked, 745 cents per net ton.
(iii) Lump, over 2 1/2", 645 cents per net ton.

(5) In the event any specific maximum price has been adjusted prior to March 10, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2), (3) or (4), but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and use indicated in (1) above: 15 cents per net ton.
(ii) For methods of shipment and use indicated in (2) above: 15 cents per net ton.

(iii) For use indicated in (3) above: 15 cents per net ton.
(iv) For use indicated in (4) above: 15 cents per net ton.

This Amendment No. 44 shall be effective as of March 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3619; Filed, March 6, 1943; 5:10 P. M.]

has been issued and filed with the Division of the Federal Register.*

Section 1341.554 has been added and § 1341.583 (a) has been amended as set forth below.

§ 1341.554 Maximum price adjustments for purchases by or purchases negotiated by the United States War Department. In the event that the United States War Department purchases or negotiates the purchase of any item covered by this regulation and the item, for some technical reason or in some minor respect, fails to meet the standards of a particular grade, the United States War Department may, in its discretion, purchase or negotiate the purchase of such item at a price which it deems fair and proper, which price, however, shall be lower than the price for the lowest grade which the item fails to meet but need not be as low as the maximum price of the next lower grade. Any processor with whom such a sale is negotiated by the United States War Department, may sell, and any governmental agency for which such purchase is negotiated pursuant to this section, may buy, the item at such price.

States War Department purchases or negotiates the purchase of any item covered by this regulation and the item, for some technical reason or in some minor respect, fails to meet the standards of a particular grade, the United States War Department may, in its discretion, purchase or negotiate the purchase of such item at a price which it deems fair and proper, which price, however, shall be lower than the price for the lowest grade which the item fails to meet but need not be as low as the maximum price of the next lower grade. Any processor with whom such a sale is negotiated by the United States War Department, may sell, and any governmental agency for which such purchase is negotiated pursuant to this section, may buy, the item at such price.

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§ 1341.583 Appendix A: Maximum prices for packed fruit—(a) Grapefruit juice.
 [Maximum prices in dollars per dozen containers, f. o. b. factory, except as otherwise indicated]

Col. 1 Item No.	Col. 2 State or area	Col. 3 Style of pack	Col. 4 Grade	Col. 5		Col. 6		Col. 7	
				Container No. 2 can		Container No. 3 cyl.		Container No. 10 can	
				Gov't. sales	Other sales	Gov't. sales	Other sales	Gov't. sales	Other sales
1	Florida and Texas.	Natural (unsweetened).	A or fancy.....	1.07½	1.12½	2.45	2.55	4.85	5.00
			C or standard.....	1.02½	1.07½	2.35	2.45	4.65	4.80
			Offgrade or substandard.....	.97½	1.02½	2.25	2.35	4.45	4.60
		Sweetened.....	A or fancy.....	1.10	1.15	2.50	2.60	5.00	5.15
			C or standard.....	1.05	1.10	2.40	2.50	4.80	4.95
			Offgrade or substandard.....	1.00	1.05	2.30	2.40	4.60	4.75
2	California and Arizona.	Natural (unsweetened).	A or fancy.....	1.17½	1.22½	2.70	2.80	5.45	5.60
			C or standard.....	1.12½	1.17½	2.60	2.70	5.25	5.40
			Offgrade or substandard.....	1.07½	1.12½	2.50	2.60	5.05	5.20
		Sweetened.....	A or fancy.....	1.20	1.25	2.75	2.85	5.60	5.75
			C or standard.....	1.15	1.20	2.65	2.75	5.40	5.55
			Offgrade or substandard.....	1.10	1.15	2.55	2.65	5.20	5.35

SHIPPER STYLE		Price
Weight range	Pigs and butcher hogs:	Per Cwt.
Under 80 lbs.....		\$20.50
80 lbs. and over, but under 100 lbs.....		19.50
100 lbs. and over, but under 120 lbs.....		19.00
120 lbs. and over, but under 137 lbs.....		18.75
137 lbs. and over, but under 172 lbs.....		18.50
172 lbs. and over, but under 235 lbs.....		18.25
Over 235 lbs.....		18.00
Sows:		
All weights.....		18.25
Stags:		
All weights.....		16.25
Boars:		
All weights.....		12.75
Oily hogs: (Deduct \$1.25 per cwt. from above prices).		

plus the permitted additions, if any, specified in paragraphs (c) (2), (c) (3), (c) (4), (c) (5) and (c) (6) of Schedule IV of Appendix A (§ 1364.35).

(4) Any person who slaughters hogs as a service for the purchaser of such hogs shall remit to such purchaser an amount sufficient to make the cost of the dressed hogs to such purchaser equal to or less than the costs which would be incurred by the purchaser if he purchased the dressed hog from the slaughterer at the maximum price therefor: *Provided*, That this requirement shall not apply in cases where the purchaser does not acquire the carcasses for resale in any form. To enable the slaughterer to determine the amount to be remitted to the purchaser, it shall be the duty of such purchaser to advise the slaughterer of the amount paid for the hogs slaughtered.

(h) *Maximum prices of products sold for export and canned products.*

* * * * *
 § 1364.23 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1364.26 *Evasion.* (a) The price limitations set forth in this Revised Maximum Price Regulation No. 148 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to, dressed hogs or wholesale pork cuts, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding: *Provided*, That a payment by a buyer to a broker of not to exceed \$0.125 per cwt. in excess of the maximum prices fixed by this regulation for services rendered by the broker to the buyer in connection with a sale of wholesale pork cuts shall not be construed as an evasion of such price limitations if the broker has no business affiliation with the seller and if the total compensation received by the broker from both buyer and seller in connection

This amendment shall become effective as of January 28, 1943.
 (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)
 Issued this 6th day of March 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-3614; Filed, March 6, 1943; 5:08 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 148, Amendment 2]

DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Redesignated: Items 8, 9, 10 and 11 of Schedule I (e) of § 1364.35 as Items 4, 5, 6 and 7 of Schedule I (e) of § 1364.35.

Amended: Paragraph (g) and the title of paragraph (h) of § 1364.22; § 1364.23; § 1364.26; subparagraphs (10), (11), (12) and (13) of paragraph (a), subparagraphs (1) and (4) of paragraph (b) and subparagraphs (4) and (8) of paragraph (c) of § 1364.32; Items 10, 18, 19 and 20 of Schedule I (a), Items 3 and 4 of Schedule I (b), Items 4, 19, 22, 23 and 24 of Schedule I (d), the title, column headings, Items 1, 2, and 3 and redesignated Item 7 of Schedule I (e), Items 1, 2 and 6 of Schedule I (f), Schedule I (g), Schedule II (e), subparagraphs (4) and (6) of Schedule III (a), subparagraph (2) of Schedule III (c), subparagraph (2) of Schedule III (d), Schedule III (e) and Schedule III (f) of § 1364.35.

Added: § 1364.34 (b): Item 8 of Schedule I (e) and Schedule III (g) of § 1364.35.
 Revoked: § 1364.22 (h) (3); § 1364.27 (a) (2); § 1364.27 (b) (4).

* * * * *
 § 1364.22 *Maximum prices for dressed hogs and wholesale pork cuts.* * * * * *
 (g) *Maximum prices for dressed hogs, invoices, maximum prices for slaughter-*

ing services. (1) The maximum price for each dressed hog, dressed packer style or shipper style, sold to a certified dressed hog processor and delivered to the buyer, shall be that ascertained in accordance with the pricing instructions contained in Schedule IV of Appendix A (§ 1364.35).

(2) Every person who sells dressed hogs to a certified dressed hog processor shall invoice such dressed hogs to the buyer by weight ranges set forth in the table in Schedule IV (a) of Appendix A (§ 1364.35). Every person who sells dressed hogs to others than certified dressed hog processors shall invoice such dressed hogs to the buyer by weight ranges set forth in the table in paragraph (g) (3) of this section. Dressed hogs falling in each such weight range shall be invoiced separately. No person shall sell hogs dressed otherwise than packer style or shipper style.

(3) The maximum price for each dressed hog, dressed packer style or shipper style, sold to a buyer other than a certified dressed hog processor and delivered to the buyer shall be as follows:

PACKER STYLE		Price
Weight range	Pigs and butcher hogs:	Per Cwt.
Under 73 lbs.....		\$21.50
73 lbs. and over, but under 90 lbs.....		20.50
90 lbs. and over, but under 108 lbs.....		20.00
108 lbs. and over, but under 124 lbs.....		19.75
124 lbs. and over, but under 155 lbs.....		19.50
155 lbs. and over, but under 213 lbs.....		19.25
Over 213 lbs.....		19.00
Sows:		
All weights.....		19.25
Stags:		
All weights.....		17.25
Boars:		
All weights.....		13.75
Oily hogs: (Deduct \$1.50 per cwt. from above prices).		

*Copies may be obtained from the Office of Price Administration.
 17 F.R. 8609, 9005, 8948; 8 F.R. 544.

tion with the sale does not exceed \$0.125 per cwt.: *Provided further*, That a payment by a buyer to a seller for icing services performed by the seller after March 1, 1943, and before delivery of dressed hogs or wholesale pork cuts to a railroad whose charges are paid directly to such railroad by the buyer shall not be construed as an evasion of such price limitations if the charge for such icing services is no higher than the cost actually incurred by the seller in performing such services and no higher than the charge which could lawfully have been made by the railroad if such services had been performed by the railroad.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Falsely or incorrectly grading or invoicing dressed hogs or wholesale pork cuts;

(2) Selling or invoicing wholesale pork cuts to buyers other than bona fide purveyors of meals at the prices established for sales by hotel supply houses;

(3) Offering, selling or delivering dressed hogs or any wholesale pork cuts on condition that the purchaser is required to purchase some other wholesale pork cut or other commodity;

(4) Selling or transferring title to hogs at a lower price than was paid for such hogs and re-purchasing, purchasing or receiving title to dressed hogs or wholesale pork cuts derived from the hogs so purchased after they have been slaughtered;

(5) Charging, billing or receiving any consideration for or in connection with any service for which specific allowance has not been provided in this regulation;

(6) So curing wholesale pork cuts as to increase their cured weight, before draining and smoking beyond 110% of green weight;

(7) Selling wholesale pork cuts not referred to in Appendix A (§ 1364.35) and not customarily sold by the same seller prior to March 23, 1942.

§ 1364.32 *Definitions.* (a) * * *

(10) "Peddler truck sale" means a sale of wholesale pork cuts from a truck, where the first record of the transaction is made by the salesman concurrently with the delivery of the products sold,

(i) by a person who purchases meat at or below the ceiling price from a seller with which he has no other financial affiliation or relationship, who takes delivery at the seller's place of business, and who does not sell or deal in meat in any manner other than sales out of stock carried in a truck owned and driven by him; or

(ii) by a person who makes all of his sales of meat out of stock carried in a

truck driven by him but owned by a person who used such truck exclusively for this type of sale during the month of March, 1942. The term "peddler truck sale" does not include deliveries made pursuant to prior orders.

(11) "Shipping container" means a sealed box or sealed barrel or a sack or burlap wrapping which becomes the property of the buyer upon delivery of the wholesale pork cuts therein contained, or a returnable container of solid wood or metal which must be of a type and size which the seller has customarily used in making delivery of wholesale pork cuts and must be carried into the buyer's place of business in making delivery of products packed therein.

(12) "Certified dressed hog processor" means any person who does not sell pork at retail except to his own employees or any person who obtained more than half of his pork supply during the year 1941 by cutting up dressed hogs or hog carcasses: *Provided*, That no person may qualify as a certified dressed hog processor until he has (a) filed with a district, state or regional office of the Office of Price Administration an affidavit that he does not sell pork at retail except to his own employees or that he obtained more than half of his pork supply during the year 1941 by cutting up dressed hogs and hog carcasses, and (b) secured from such field office of the Office of Price Administration an endorsement, written on a duplicate copy of such affidavit, acknowledging that he has filed such an affidavit. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(13) "Wholesaler" means a person who buys dressed hogs and/or wholesale pork cuts for resale other than at retail and who does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and who is not owned or controlled in whole or in substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities.

(b) * * *

(1) "Ready to serve without further heating" refers to pork products which have been heated so that all parts of the pork muscle contained therein have reached a temperature of at least 148° F. by a method of heating and under conditions known to insure such result. * * *

(4) "Cooked" refers to a pork product which (i) has been heated, otherwise than in the smokehouse or by barbecuing or baking, for sufficient time to assume the characteristics of a cooked product; (ii) is ready to serve without

further heating; and (iii) the lean meat of which weighs not in excess of 85% of its weight in the green state, or the moisture content of which is not in excess of 3.2 times the weight of protein minus the weight of sodium chloride as chemically tested, except that the cooked products referred to in Items 5, 6, 7, and 8 of Schedule I (c) of Appendix A (§ 1364.35) may have a lean meat weight not in excess of 90% of the weight in the green state, or a lean meat moisture content not in excess of 3.4 times the weight of protein minus the weight of sodium chloride as chemically tested. * * *

(c) * * *

(4) "Regular ham" includes hams cut off from the hog carcass not less than 2¼ inches nor more than 2¾ inches from the exposed end of the aitch bone, properly faced, with the shank cut off at or above the hock joint, with loose and gut fat removed from the face and pelvic cavity, with the cushion side well rounded and no excessive flank. * * *

(8) "Regular picnic" includes picnics cut from shoulders not less than one rib wide in such manner as to leave not less than 1 inch or more than 2½ inches of blade bone in the picnic, closely trimmed, properly faced, with the lip and breast flap removed, well rounded and with the fat properly beveled on the butt end. * * *

§ 1364.34 *Effective date.* * * *

(b) Amendment No. 2 (Redesignated: Items 8, 9, 10 and 11 of Schedule I (e) of § 1364.35 as Items 4, 5, 6 and 7 of Schedule I (e) of § 1364.35; Amended: Paragraph (g) and the title of paragraph (h) of § 1364.22; § 1364.23; § 1364.25; subparagraphs (10), (11), (12) and (13) of paragraph (a), subparagraphs (1) and (4) of paragraph (b) and subparagraphs (4) and (8) of paragraph (c) of § 1364.32; Items 10, 18, 19 and 20 of Schedule I (a), Items 3 and 4 of Schedule I (b), Items 4, 19, 22, 23 and 24 of Schedule I (d), the title, column headings, Items 1, 2 and 3 and redesignated Item 7 of Schedule I (e), Items 1, 2 and 6 of Schedule I (f), Schedule I (g), Schedule II (e), subparagraphs (4) and (6) of Schedule III (a), subparagraph (2) of Schedule III (c), subparagraph (2) of Schedule III (d), Schedule III (e) and Schedule III (f) of § 1364.35; Added: § 1364.34 (b); Item 8 of Schedule I (e) and Schedule III (g) of § 1364.35; Revoked: § 1364.22 (h) (3); § 1364.27 (a) (2); § 1364.27 (b) (4) to Revised Maximum Price Regulation No. 148 shall become effective March 6, 1943, except that as to all sales to war procurement agencies of the United States Government it shall take effect as of March 1, 1943.

§ 1364.35 * * *

SCHEDULE I * * *

(a) PORK CUTS: GREEN OR FROZEN, CURED, SMOKED AND READY-TO-EAT

Item	Green or frozen		Cured		Smoked (wrapped)		Ready-to-eat (wrapped)	
	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)
10. Loins—regular.....	Under 12	26.25	Under 12	26.75	Under 10	31.50	.....	.....
	12-16	24.75	12-16	25.25	10-14	30.00	.....	.....
	16-20	23.75	16-20	24.25	14-18	29.00	.....	.....
	Over 20	22.75	Over 20	23.25	Over 18	28.00	.....	.....
18. Sliced Canadian bacon.....						55.00	.....	.....
19. Briskets.....		14.00		15.00		19.50	.....	.....
20. Sliced bacon—derined:								
Standard Grade A.....						33.50	.....	.....
Standard Grade B.....						29.75	.....	.....
Standard Grade C.....						28.25	.....	.....
Sliced jowl butts.....						20.75	.....	.....
Sliced regular plates.....						20.25	.....	.....
Bacon end slices.....						18.00	.....	.....

(b) PORK CUTS: GREEN OR FROZEN, CURED, SMOKED AND BARBECUED

Item	Weight	Green or frozen (dollars)	Cured (dollars)	Smoked (dollars)	Barbe-cued (dollars)
3. Bellies, dry salt (clear or rib).....		15.50	16.00	18.75	.....
4. Plates and jowls:					
Clear plates.....		11.00	11.50	14.00	.....
Regular plates.....		12.25	12.75	15.25	.....
Jowl butts.....		11.00	11.50	14.00	.....
Square jowl butts.....		12.75	13.75	17.25	.....

¹ Wrapped.

(d) PORK SAUSAGE MATERIAL AND MISCELLANEOUS PORK CUTS

Item	Fresh or frozen	Cured	Smoked
	Dollars (*)	Dollars (*)	Dollars (*)
4. Extra lean trimmings.....	34.25	34.25	.....
19. Gelatin skins..... (All rail shipments moving at carload rate must be sold on f. o. b. shipping point basis, with buyer paying carrier's charges directly to the carrier.)	8.25	8.25	.....
22. Long-cut feet.....	8.00	8.00	.....
23. Canned ham, imported into United States. (May be sold on an f. o. b. shipping point basis, in l. c. l. quantities, if buyer pays carrier's charges directly to the carrier.)		54.00	.....
24. Pork chops..... (This price applicable only to sales to purveyors of meals).	30.50	.....	.....

(e) PORK CUTS PACKED IN WOOD AND GLASS CONTAINERS

Item	Container and net weight				
	Kit, 13 pounds	1/2 barrel 25 pounds	1/4 barrel 50 pounds	1/2 barrel 100 pounds	Barrel, 200 pounds
	Each	Each	Each	Each	Each
FAT BACK PORK					
<i>Pieces per barrel</i>					
1. 30-40 or 40-50.....	2.50	4.00	7.80	15.10	28.25
2. 50-60 or 60-70.....	2.45	3.90	7.60	14.75	27.50
3. 70-80, 80-100 or 100-125.....	2.35	3.80	7.35	14.25	26.50
PLATE PORK					
4. 25-35 pieces per barrel.....	2.25	3.55	6.85	13.25	24.50
5. 35-44 pieces per barrel.....	2.25	3.55	6.85	13.25	24.50
6. Brisket pork.....	3.15	4.95	9.85	19.25	36.50

7. Vinegar pickled pork feet, cooked bone in:

Tierces (300 pounds, net weight) each	\$29.50
Barrels (200 pounds, net weight) each	20.50
½ Barrels (75 pounds, net weight) each	8.25
¼ Barrels (35 pounds, net weight) each	4.00
⅛ Barrels (17 pounds, net weight) each	2.25
Jars (18 pounds, net weight) do	2.30
Kits (12 pounds, net weight) do	1.75
Jars (7 pounds, net weight) do	0.90

8. Vinegar pickled long-cut pork feet, cooked bone in:

Barrels (200 pounds, net weight) each	27.00
Jars (16 pounds, net weight) do	2.75

(f) CANNED PORK ITEMS

(Prepared for war procurement agencies according to United States Government specifications)

1. Spiced luncheon meat:

12 oz. cans per cwt	\$39.00
2½ lb. cans per cwt	36.25
6 lb. cans per cwt	36.00

2. Spiced ham:

12 oz. cans per cwt	41.50
2½ lb. cans per cwt	38.75
6 lb. cans per cwt	38.50

6. Corned pork:

12 oz. cans per cwt	62.00
6 lb. cans per cwt	58.00

(g) PRODUCTS FOR WAR PROCUREMENT AGENCIES

(Prepared according to United States Government Specifications)

	Weight	Price
	Pounds	
1. Wiltshires—cured		\$22.50
2. Wiltshires—scalded, frozen in sacks		23.00
3. Overseas hams: Regular—shankless (96 hour smoke, long cure, wrapped in muslin. Packed in salt—C. Q. D. specifications).	8-10 10-14 14-16	36.25 35.50 34.50
4. Overseas hams: Skinned—shankless (96 hour smoke, long cure, wrapped in muslin. Packed in salt—C. Q. D. specifications).	8-10 10-14 14-16	38.75 38.00 37.00
5. Export hams: Regular—shank on (96 hour smoke, long cure, not wrapped. Packed in salt, F. S. G. C. specifications).	Under 12 12-16 Over 16	32.75 32.00 31.00
6. Export hams: Skinned—shank on (96 hour smoke, long cure, not wrapped. Packed in salt, F. S. G. C. specifications).	Under 12 12-16 Over 16	35.00 34.25 33.25
7. War hams: Regular (48 hour smoke, long cure, commercial wrapping, packed without salt, C. Q. D. specifications) (deduct \$.75 per cwt. if smoked 24 hours or more but less than 48 hours).	8-12 12-16 Over 16	32.00 31.25 30.25
8. War hams: Skinned (48 hour smoke, long cure commercial wrapping, packed with out salt, C. Q. D. specifications.) (Deduct \$.75 per cwt. if smoked 24 hours or more but less than 48 hours.)	8-12 12-16 Over 16	34.25 33.50 32.50
9. Issue hams: Regular (short cure, 48 hour smoke commercial wrapping.) (If smoked 24 hours or more but less than 48 hours, use prices stated for smoked regular hams, item 1 of Schedule I (a).)	8-14 14-18 18-20	30.75 30.00 29.00
10. Issue hams: Skinned (short cure, 48 hour smoke commercial wrapping.) (If smoked 24 hours or more but less than 48 hours, use prices stated for smoked skinned hams, item 2 of Schedule I (a).)	8-14 14-18 18-20	33.00 32.25 31.25
11. Export hams: Regular (short cure, smoked 96 hours, not wrapped, packed in salt, F. S. C. C. specifications).	Under 12 12-16 Over 16	30.75 30.00 29.00
12. Export hams: Skinned (Short cure, smoked 96 hours. Hot wrapped, packed in salt, F. S. C. C. specifications).	Under 12 12-16 Over 16	33.00 32.25 31.25

(g) PRODUCTS FOR WAR PROCUREMENT AGENCIES—Continued

	Weight	Price
	Pounds	
13. War bacon (Fancy Trimmed, Type 1, Smoked 48 hours, Commercial wrapping, C. Q. D. specifications).	6-8 8-12 12-14 14-18	\$27.50 27.00 25.50 25.00
14. Overseas bacon (Fancy trimmed, Type 2: Smoked 96 hours, Dry Salt cured, wrapped in muslin. Packed in salt, C. Q. D. specifications).	Under 10 10-14 14-18	29.00 27.00 26.50
15. Rib packs: Short cut—dry salt cure		20.50
Short cut—dry salt cure, smoked (F. S. G. C. specifications).		25.00
16. Semi-boneless loins	10 and down 10-12 12-18	33.50 32.00 31.00
17. Smoked picnic—expert (F. S. C. C. specifications).		28.50
18. Mess Pork in Barrels (200 pounds net green weight)—per barrel.		47.50
19. Pork Sausage, fresh or frozen:		
Bulk		29.00
In paper casings		30.00
In hog casings		32.00
In sheep casings		34.00
20. Fresh pork sides, packer dressed:		
140 to 154 pounds per hog		19.20
155 to 169 pounds per hog		19.15
170 to 192 pounds per hog		19.05
193 to 213 pounds per hog		19.00
214 to 239 pounds per hog		18.95
Over 239 pounds per hog		18.90

SCHEDULE II * * *

(e) For all dried, smoked, ready-to-eat, cooked, baked or barbecued wholesale pork cuts, except sliced bacon, which are designated as wrapped in Schedule I but which the seller does not individually wrap in parchment paper, cellophane or artificial casings or similar packages, \$0.50 per cwt.

SCHEDULE III * * *

(a) For special cutting and trimming: * * *

(4) Loins: Bladeless, \$0.50 per cwt. over standard

(6) Bacon bellies: Fancy trimmed, \$1.00 per cwt. over square-cut seedless trim price. Fancy trimmed with brisket off, \$2.00 per cwt. over square-cut seedless trim price (\$1.00 per cwt. over fancy trimmed price) * * *

(c) For packing in shipping containers * * *

(2) For export shipment and/or packed pursuant to U. S. Government specifications: * * *

(iv) Canned products packed for export, 6 cans or less to the box, \$1.00 per cwt.

(v) Cured products packed for export in boxes containing 200 lbs. or less, \$1.00 per cwt.

(vi) Fresh, frozen or cured products packed in fiber boxes pursuant to U. S. Government specifications, \$0.40 per cwt.

(vii) Other products for export shipment, \$0.75 per cwt.

(d) For local delivery: * * *

(2) Where the seller makes a peddler truck sale, involving delivery of not more than 50 lbs. of wholesale pork cuts and not more than 150 lbs. of meats in any one day from the truck to any buyer's store door, he may add to the prices specified in Schedule I the sum of \$1.50 per cwt.

(e) For all wholesale pork cuts sold to a purveyor of meals, \$1.00 per cwt.

(f) For all wholesale pork cuts and dressed hogs sold by wholesalers, \$0.50 per cwt. (as to dressed hogs, this addition may be made to the slaughterer's maximum price computed as provided in § 1384.22 (g) of this regulation).

(g) For breaking a box or barrel of wholesale pork cuts and delivering less than 30 lbs. of the kind of cuts contained in such box, loose, to a single buyer, an independent wholesaler or packer's branch house may add to the Schedule I price of the cuts so delivered, in lieu of the shipping containers addition permitted by paragraph (c) (1) of this schedule, an amount equal to such permitted shipping container addition. This provision does not apply to sales from branch houses located at or near the seller's packing plant.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3611; Filed, March 6, 1943; 5:02 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 338]

AIRCRAFT VENEER

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sec.	1384.151	Sales of aircraft veneer at higher than maximum prices prohibited.
	1384.152	To what products, transactions, and persons this regulation applies.
	1384.153	Maximum prices.
	1384.154	Additions to maximum prices for transportation and crating.
	1384.155	What the invoice must contain.
	1384.156	Prohibited practices.
	1384.157	Applications for adjustment and petitions for amendment.
	1384.158	Records and reports.
	1384.159	Enforcement and licensing.
	1384.160	Relation to other regulations.
	1384.161	Appendix A: Maximum prices for sliced aircraft veneer.
	1384.162	Appendix B: Maximum prices for rotary cut and half round aircraft veneer.

AUTHORITY: §§ 1384.151 to 1384.162, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1384.151 Sales of aircraft veneer at higher than maximum prices prohibited.

(a) On and after March 13, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any aircraft veneer at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things. The maximum f. o. b. mill prices are set out in Appendices A and B (§§ 1384.161 and 1384.162).

(b) If aircraft veneer has been received before March 13, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer,

*Copies may be obtained from the Office of Price Administration.

that shipment is not subject to the terms of this regulation. It remains subject to the General Maximum Price Regulation.

(c) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1384.152 *To what products, transactions, and persons this regulation applies—(a) Products and transactions covered by the regulation.* This regulation covers, under the name "aircraft veneer," all sales of rotary cut, half round and sliced yellow poplar, sweet gum, and water tupelo veneer which satisfies the Army-Navy specifications (AN-NN-P-511a or AN-NN-P-511b) for aircraft grade veneer.

(b) *Persons covered by this regulation.* Any person who sells or purchases (in the course of trade or business) aircraft veneer is subject to this regulation. The term "person" includes: an individual, corporation, or any other organized groups; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

§ 1384.153 *Maximum prices—(a) In general.* The maximum prices for standard width specifications of aircraft veneer are set out in the price tables in Appendices A and B (§§ 1384.161 and 1384.162).

(b) *Special width specifications.* Aircraft veneer in width specifications not listed in Appendices A and B is nevertheless subject to this regulation. The maximum price for this veneer will be established upon application by letter from the seller to the Lumber Branch, Office of Price Administration, Washington, D. C. The letter should contain a complete description of the specification and the ceiling price requested. No deliveries of this veneer can be made until the seller is notified of the maximum price which is established. Notification will be made by letter or telegram.

(c) *Sales of more than one class of veneer.* Where two or more classes of aircraft veneer are sold together, each class must be invoiced separately, and the price for each class cannot exceed the applicable maximum price.

§ 1384.154 *Additions to maximum prices for transportation and crating.* (a) The seller may add to the maximum f. o. b. mill prices (set out in Appendices A and B) any charge or expense for transportation from the mill paid or incurred by the seller.

(b) The seller may add to the maximum prices the following charges for crating veneer sold for export shipment:

Per 1,000
surface
feet

For veneer $\frac{1}{32}$ of an inch or thinner... \$1.00
For veneer thicker than $\frac{1}{32}$ of an inch... 1.50

§ 1384.155 *What the invoice must contain—(a) Basic price.* All invoices must contain a sufficiently complete

description of the veneer to show whether the price is proper or not. Any specification or extra which affects the maximum price must be mentioned in the description.

(b) *Transportation charges.* In delivered sales, the invoice must contain the:

- (1) Point of origin of the shipment;
- (2) Destination;
- (3) Amount added for transportation.

(c) *Crating addition.* Any charge made for crating veneer sold for export shipment must be shown separately on the invoice.

§ 1384.156 *Prohibited practices—(a) General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific prohibited practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices or cash discounts from what they were on October 1, 1941. This includes reducing the cash discount period, decreasing credit periods, or making greater charges for extension of credit. In any case, on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used. In all cases, if the sale is on cash terms, the maximum price must be reduced by the same amount as the sale price would have been reduced for similar cash terms on October 1, 1941. For example, if the maximum price without cash discount is \$20.00, and if in sales of this item on October 1, 1941, to purchasers of a certain class the seller reduced sales prices 2 percent for cash within ten days, the ceiling cash price in sales to purchasers of this class is \$19.60. For purposes of this paragraph, no discount over 2 percent is considered a cash discount.

(2) Refusing to sell on an f. o. b. mill basis and insisting on selling on a delivered basis. The purchaser must be given the option of making his own transportation arrangements.

(3) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(c) *Service commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating veneer, or for any related service (such as "expediting") which does not involve actual physical handling of veneer, if the commission plus the purchase price results in a total payment by the buyer of veneer which is higher than the maximum price of the veneer. For purposes of this reg-

ulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the veneer in connection with which the service is performed.

(d) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of the veneer has been completed. But the price may be adjustable to the maximum price in effect at the time of delivery.

§ 1384.157 *Applications for adjustment and petitions for amendment—(a) Government contracts.* (1) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States". It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price established in this regulation is impeding or threatens to impede production of aircraft veneer which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6¹, issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1², issued by the Office of Price Administration.

§ 1384.158 *Records and reports—(a) Records.* All sellers must keep records which will show a complete description of the items of veneer sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for all purchases and sales of aircraft veneer. They must be kept for two years, for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(b) *Reports.* Any reports that the Office of Price Administration has required in the past, or requires from time to time, must be submitted.

§ 1384.159 *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses

¹ 7 F.R. 5087, 5664.

² 7 F.R. 8961.

provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) The provisions of Supplementary Order No. 18 (§ 1305.22) licensing all persons, except mills, manufacturers or producers, selling lumber, lumber products or building materials, are applicable to every person selling aircraft veneer for which maximum prices are established by this Maximum Price Regulation No. 338. This order, in brief, provides that a license is necessary, except for mills, manufacturers or producers, to make sales under this regulation. A license is automatically granted to all sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942 and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The licenses cannot be transferred.

§ 1384.160 *Relation to other regulations*—(a) *General Maximum Price Regulation*. Any sale or delivery covered by this Maximum Price Regulation No. 338 is not subject to the General Maximum Price Regulation.³

(b) *Maximum Export Price Regulation*. The maximum price for export sales of aircraft veneer is governed by the Revised Maximum Export Price Regulation.⁴

§ 1384.161 *Appendix A: Maximum prices for sliced aircraft veneer*—(a) *Classes of sliced aircraft veneer*. The following are the classes of sliced aircraft veneer for purposes of this regulation:

Class 1: Fitches 10' to 16' (inclusive) in length, with at least one 100% aircraft grade

³ 7 F.R. 3153, 3330, 3666, 3991, 4339, 4487, 4659, 4788, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5783, 5775, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 3990, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

⁴ 7 F.R. 5059, 7242, 8829, 9000, 10530.

No. 48—3

cutting 7'2" to 8'2" (inclusive) in length and full width of the fitch.

Class 2: Fitches of random length 8' to 16' (inclusive)—100% aircraft grade.

Class 3: Fitches which may be longer than lengths specified by purchaser (from a minimum of 6'2") but which are billed at purchaser's specified length, plus an overlength of 10%. For example: If the order called for 98" length and if 120" length was shipped, the purchaser would be billed for a length of 108" (98" plus 10"). The fitches must have a 100% aircraft grade cutting equal in length to the purchaser's specified length and full width of the fitch.

Class 4: Fitches cut to exact length specified by purchaser, lengths 5'2" to 8'2" (inclusive)—100% aircraft grade.

Class 5: Fitches cut to exact length specified by purchaser, lengths 8'2 1/4" to 10'2" (inclusive)—100% aircraft grade.

Class 6: Fitches cut to exact length specified by purchaser, lengths 10'2 1/4" to 12'2" (inclusive)—100% aircraft grade.

Class 7: Fitches cut to exact length specified by purchaser, lengths 12'2 1/4" to 14'2" (inclusive)—100% aircraft grade.

Class 8: Fitches cut to exact length specified by purchaser, lengths 14' 2 1/4" to 16'2" (inclusive)—100% aircraft grade.

(b) *Maximum prices for sliced aircraft veneer*. The maximum f. o. b. mill prices for 1000 surface feet sliced aircraft veneer are set out in the tables that follow. These prices are for veneer with a minimum width of 6 inches. If the purchaser is willing to take ten percent or less in widths from 4 1/4 to 5 3/4 inches, the maximum price for veneer in these narrow widths is ten percent less than the ceiling prices set out in the tables.

TABLE 1—MAXIMUM PRICES FOR SLICED SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN NORTH CAROLINA, TENNESSEE, ARKANSAS, AND ALL STATES FARTHER SOUTH

Thickness	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8
.030 ¹ 1/8	\$12.80	\$16.00	\$16.00	\$16.65	\$17.30	\$17.90	\$18.55	\$19.20
.031 3/8	13.10	16.35	16.35	17.00	17.70	18.35	19.00	19.65
.034 1/2	13.80	17.25	17.25	17.95	18.65	19.30	20.00	20.70
.036 5/8	14.30	17.90	17.90	18.60	19.30	20.00	20.75	21.45
.040 3/4	15.30	19.15	19.15	19.90	20.65	21.40	22.20	22.95
.042 7/8	15.95	19.95	19.95	20.75	21.55	22.35	23.15	23.95
.047 1	17.30	21.60	21.60	22.50	23.30	24.10	24.90	25.70
.050 1 1/8	18.00	22.50	22.50	23.40	24.20	25.00	25.80	26.60
.056 1 1/4	19.15	23.95	23.95	24.90	25.85	26.80	27.75	28.70
.060 1 1/2	20.00	25.00	25.00	26.00	27.00	28.00	29.00	30.00
.063 1 3/8	21.10	26.35	26.35	27.45	28.50	29.55	30.60	31.65
.067 1 3/4	22.35	27.90	27.90	29.10	30.20	31.30	32.40	33.50
.068 1 7/8	22.35	27.95	27.95	29.00	30.20	31.30	32.40	33.50
.071 2	23.20	29.00	29.00	30.15	31.30	32.50	33.65	34.80
.080 2 1/8	25.80	32.25	32.25	33.50	34.85	36.10	37.40	38.70
.083 2 1/4	27.00	33.75	33.75	35.10	36.45	37.80	39.15	40.50
.094 2 1/2	29.60	37.00	37.00	38.50	40.00	41.45	42.90	44.40
.095 2 3/8	30.30	37.85	37.85	39.40	40.90	42.40	43.95	45.45
.100 2 3/4	31.90	39.55	39.55	41.50	43.00	44.65	46.25	47.85
.111 3	34.30	42.85	42.85	44.60	46.30	48.00	49.75	51.45
.125 3 1/8	37.40	46.75	46.75	48.60	50.50	52.35	54.25	56.10

¹ These prices apply to all thicknesses less than .030" or 1/8".

TABLE 2A—MAXIMUM PRICES FOR SLICED SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN MARYLAND, VIRGINIA, WEST VIRGINIA, KENTUCKY AND ALL PLACES IN ILLINOIS, INDIANA AND OHIO WITHIN TEN MILES OF THE OHIO RIVER; AND

TABLE 2B—MAXIMUM PRICES FOR SLICED YELLOW POPLAR AIRCRAFT VENEER PRODUCED ANYWHERE IN THE UNITED STATES

Thickness	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8
.030 ¹ 1/8	\$13.90	\$17.35	\$17.35	\$18.05	\$18.75	\$19.45	\$20.15	\$20.85
.031 3/8	14.15	17.70	17.70	18.40	19.10	19.80	20.50	21.20
.034 1/2	14.95	18.70	18.70	19.45	20.20	20.95	21.65	22.45
.036 5/8	15.50	19.40	19.40	20.15	20.95	21.70	22.50	23.25
.040 3/4	16.60	20.75	20.75	21.60	22.40	23.25	24.00	24.90
.042 7/8	17.40	21.75	21.75	22.60	23.50	24.35	25.25	26.10
.047 1	18.75	23.45	23.45	24.35	25.30	26.25	27.20	28.15
.050 1 1/8	19.50	24.40	24.40	25.35	26.35	27.30	28.30	29.25
.056 1 1/4	20.80	26.00	26.00	27.00	28.10	29.10	30.15	31.20
.060 1 1/2	21.70	27.10	27.10	28.20	29.30	30.40	31.45	32.50
.063 1 3/8	22.80	28.50	28.50	29.65	30.80	31.90	33.00	34.20
.067 1 3/4	23.75	29.70	29.70	30.85	32.00	33.25	34.45	35.60
.068 1 7/8	24.20	30.25	30.25	31.45	32.65	33.90	35.10	36.30
.071 2	25.10	31.40	31.40	32.65	33.90	35.15	36.40	37.65
.080 2 1/8	27.90	34.85	34.85	36.25	37.65	39.00	40.45	41.85
.083 2 1/4	29.10	36.40	36.40	37.85	39.30	40.75	42.20	43.65
.094 2 1/2	32.00	40.00	40.00	41.60	43.20	44.80	46.40	48.00
.095 2 3/8	32.65	40.80	40.80	42.45	44.00	45.70	47.35	49.00
.100 2 3/4	34.30	42.85	42.85	44.60	46.30	48.00	49.75	51.45
.111 3	37.00	46.20	46.20	48.00	49.90	51.75	53.60	55.40
.125 3 1/8	40.30	50.40	50.40	52.40	54.40	56.40	58.45	60.45

¹ These prices apply to all thicknesses less than .030" or 1/8".

TABLE 3—MAXIMUM PRICES FOR SLICED SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN AREAS NOT COVERED BY TABLES 1 AND 2A

Thickness	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8
.030 ¹	\$14.55	\$18.20	\$18.20	\$18.90	\$19.65	\$20.35	\$21.10	\$21.85
.031	14.90	18.60	18.60	19.40	20.10	20.85	21.60	22.35
.034	15.70	19.65	19.65	20.40	21.20	22.00	22.75	23.50
.036	16.30	20.35	20.35	21.20	22.00	22.80	23.65	24.45
.040	17.45	21.80	21.80	22.70	23.55	24.45	25.30	26.20
.042	18.15	22.65	22.65	23.60	24.50	25.40	26.30	27.25
.047	19.75	24.65	24.65	25.70	26.65	27.65	28.65	29.65
.050	20.50	25.65	25.65	26.65	27.70	28.70	29.75	30.75
.056	21.90	27.35	27.35	28.50	29.60	30.65	31.75	32.85
.060	22.80	28.50	28.50	29.65	30.80	31.90	33.00	34.20
.063	24.00	30.00	30.00	31.20	32.40	33.60	34.80	36.00
.067	24.95	31.20	31.20	32.45	33.70	35.00	36.15	37.45
.068	25.50	31.85	31.85	33.15	34.40	35.70	37.00	38.25
.071	26.40	33.00	33.00	34.30	35.65	37.00	38.30	39.60
.080	29.20	36.50	36.50	37.95	39.40	40.90	42.35	43.80
.083	30.50	38.20	38.20	39.65	41.15	42.70	44.25	45.75
.094	33.50	41.90	41.90	43.55	45.20	46.90	48.55	50.25
.095	34.20	42.75	42.75	44.50	46.15	47.90	49.60	51.30
.100	35.90	44.90	44.90	46.65	48.50	50.25	52.00	53.85
.111	38.70	48.40	48.40	50.30	52.25	54.20	56.10	58.00
.125	42.25	52.85	52.85	54.90	57.00	59.15	61.25	63.35

¹ These prices apply to all thicknesses less than .030" or 1/32".

§ 1384.162 Appendix B: Maximum prices for rotary cut and half round aircraft veneer—(a) Classes of rotary cut and half round aircraft veneer. The following are the classes of rotary cut and half round aircraft veneer for purposes of this regulation.

Class A: Stock is to be cut to exact length up to and including 56" as specified by the purchaser. Widths are to be random, with a minimum width of 6" and a maximum width of 36", and the stock is to contain all of the wide sheets of aircraft quality veneer produced by the log.

Class B: Same specifications as Class A except lengths are to be from 56 1/4" to 74" (inclusive), as specified by purchaser.

Class C: Same specifications as Class A except lengths are to be from 74 1/4" to 86" (inclusive), as specified by purchaser.

Class D: Same specifications as Class A except lengths are to be from 86 1/4" to 98" (inclusive), as specified by purchaser.

Class E: Same specifications as Class A except lengths are to be from 98 1/4" to 110" (inclusive), as specified by purchaser.

Class F: Same specifications as Class A except lengths are to be from 110 1/4" to 125" (inclusive), as specified by purchaser.

Class AA: Same specifications as Class A except widths are to be from 12" to 38" (inclusive), and these widths may be built up from 2, 3, or 4 equal width part pieces, the minimum width of which shall be 6". The part pieces must measure in width 1" more for each joint than the specified dimension width.

Class BB: Same specifications as Class B except widths are to be from 12" to 38" (inclusive), and these widths may be built up from 2, 3, or 4 equal width part pieces, the

minimum width of which shall be 6". The part pieces must measure in width 1" more for each joint than the specified dimension width.

Class CC: Same specifications as Class C except widths are to be from 12" to 38" (inclusive), and these widths may be built up from 2, 3, or 4 equal width part pieces, the minimum width of which shall be 6". The part pieces must measure in width 1" more for each joint than the specified dimension width.

Class DD: Same specifications as Class D except widths are to be from 12" to 38" (inclusive), and these widths may be built up from 2, 3, or 4 equal width part pieces, the minimum width of which shall be 6". The part pieces must measure in width 1" more for each joint than the specified dimension width.

Class EE: Same specifications as Class E except widths are to be from 12" to 38" (inclusive), and these widths may be built up from 2, 3, or 4 equal width part pieces, the minimum width of which shall be 6". The part pieces must measure in width 1" more for each joint than the specified dimension width.

Class FF: Same specifications as Class F except widths are to be from 12" to 38" (inclusive), and these widths may be built up from 2, 3, or 4 equal width part pieces, the minimum width of which shall be 6". The part pieces must measure in width 1" more for each joint than the specified dimension width.

(b) Maximum prices for rotary cut and half round aircraft veneer. The maximum f. o. b. mill prices for 1000 surface feet of rotary cut and half round aircraft veneer are set out in the tables that follow:

TABLE 4—MAXIMUM PRICES FOR ROTARY CUT AND HALF-ROUND SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN NORTH CAROLINA, TENNESSEE, ARKANSAS AND ALL STATES FARTHER SOUTH

Thickness	Class A	Class B	Class C	Class D	Class E	Class F	Class AA	Class BB	Class CC	Class DD	Class EE	Class FF
.030 ¹	\$11.00	\$12.10	\$13.20	\$14.30	\$15.40	\$16.50	\$11.55	\$12.70	\$13.85	\$15.00	\$16.20	\$17.35
.031	11.25	12.40	13.50	14.65	15.75	16.90	11.80	13.00	14.20	15.40	16.55	17.75
.034	11.75	12.95	14.10	15.25	16.45	17.65	12.35	13.60	14.80	16.00	17.25	18.55
.036	12.00	13.20	14.40	15.60	16.80	18.00	12.60	13.85	15.10	16.40	17.65	18.90
.040	12.75	14.00	15.30	16.60	17.85	19.15	13.40	14.75	16.00	17.45	18.75	20.00
.042	13.10	14.40	15.70	17.00	18.25	19.65	13.75	15.10	16.50	17.85	19.25	20.65
.047	14.25	15.65	17.10	18.50	19.95	21.40	14.95	16.45	17.95	19.50	20.95	22.50
.050	14.60	16.05	17.55	19.00	20.45	21.90	15.30	16.85	18.45	19.95	21.50	23.00
.056	15.40	16.95	18.50	20.05	21.55	23.10	16.20	17.80	19.45	21.00	22.60	24.25
.060	15.95	17.55	19.15	20.75	22.35	23.95	16.75	18.40	20.10	21.80	23.45	25.15
.063	16.75	18.45	20.10	21.75	23.45	25.15	17.60	19.40	21.10	22.85	24.65	26.40
.067	17.45	19.20	20.95	22.70	24.45	26.20	18.30	20.15	22.00	23.85	25.70	27.50
.068	17.90	19.70	21.50	23.30	25.00	26.85	18.80	20.70	22.60	24.45	26.25	28.20

¹ These prices apply to all thicknesses less than .030" or 1/32".

TABLE 4—MAXIMUM PRICES FOR ROTARY CUT AND HALF-ROUND SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN NORTH CAROLINA, TENNESSEE, ARKANSAS AND ALL STATES FARTHER SOUTH

Thickness	Class A	Class B	Class C	Class D	Class E	Class F	Class AA	Class BB	Class CC	Class DD	Class EE	Class FF
.071 ¹	3/4	\$18.55	\$20.40	\$22.25	\$24.10	\$26.00	\$27.80	\$19.50	\$21.40	\$23.35	\$25.30	\$27.20
.080.....		20.60	22.65	24.70	26.75	28.85	30.90	21.65	23.80	25.95	28.10	30.30
.083.....	3/8	21.40	23.55	25.70	27.85	30.00	32.10	22.50	24.70	27.00	29.25	31.50
.094.....	5/16	23.70	26.00	28.45	30.80	33.20	35.60	24.90	27.30	29.85	32.35	34.85
.095.....		24.15	26.60	29.00	31.40	33.80	36.25	25.35	27.90	30.45	33.00	35.50
.100.....	1/2	24.95	27.45	29.95	32.45	34.95	37.40	26.20	28.85	31.45	34.10	36.70
.111.....	3/8	27.15	29.85	32.60	35.30	38.00	40.75	28.50	31.35	34.25	37.00	39.75
.125.....	3/8	30.15	33.15	36.20	39.20	42.20	45.25	31.65	34.80	38.00	41.15	44.30

¹ These prices apply to all thicknesses less than .030" or 1/32".

NOTE: Add \$1.50 per M. S. M. for dry clipping.

TABLE 5A—MAXIMUM PRICES FOR ROTARY CUT AND HALF-ROUND SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN MARYLAND, VIRGINIA, WEST VIRGINIA, KENTUCKY AND ALL PLACES IN ILLINOIS, INDIANA AND OHIO WITHIN TEN MILES OF THE OHIO RIVER; AND

TABLE 5B—MAXIMUM PRICES FOR ROTARY CUT AND HALF-ROUND YELLOW POPLAR AIRCRAFT VENEER PRODUCED ANYWHERE IN THE UNITED STATES

Thickness	Class A	Class B	Class C	Class D	Class E	Class F	Class AA	Class BB	Class CC	Class DD	Class EE	Class FF
.030 ¹	1/32	\$12.00	\$13.20	\$14.40	\$15.65	\$16.80	\$18.00	\$12.60	\$13.85	\$15.10	\$16.45	\$17.65
.031.....	1/32	12.30	13.55	14.75	16.00	17.20	18.45	12.90	14.25	15.50	16.80	18.05
.034.....	1/32	12.85	14.15	15.40	16.70	18.00	19.25	13.50	14.85	16.15	17.50	18.90
.036.....	1/32	13.15	14.50	15.80	17.10	18.40	19.70	13.80	15.25	16.60	17.95	19.30
.040.....	1/32	14.00	15.40	16.80	18.20	19.60	21.00	14.70	16.15	17.65	19.10	20.60
.042.....	1/32	14.45	15.90	17.35	18.80	20.25	21.65	15.15	16.70	18.20	19.75	21.25
.047.....	1/32	15.60	17.15	18.70	20.30	21.85	23.40	16.40	18.00	19.65	21.30	22.95
.050.....	1/32	16.10	17.70	19.30	20.90	22.50	24.15	16.90	18.60	20.25	21.95	23.60
.056.....	1/32	17.00	18.70	20.40	22.10	23.80	25.50	17.85	19.65	21.40	23.20	25.00
.060.....	1/32	17.55	19.30	21.05	22.85	24.55	26.30	18.40	20.25	22.10	24.00	25.75
.063.....	1/32	18.45	20.30	22.15	24.00	25.85	27.70	19.35	21.30	23.25	25.20	27.15
.067.....	1/32	19.25	21.15	23.10	25.00	26.95	28.85	20.20	22.20	24.25	26.25	28.30
.068.....		19.70	21.65	23.65	25.60	27.60	29.50	20.70	22.75	24.85	26.90	29.00
.071.....	1/4	20.40	22.45	24.50	26.50	28.55	30.60	21.40	23.60	25.75	27.85	30.00
.080.....		22.50	24.75	27.00	29.35	31.50	33.75	23.60	26.00	28.35	30.80	33.10
.083.....	1/2	23.45	25.80	28.15	30.50	32.85	35.20	24.65	27.10	29.55	32.00	34.50
.094.....	5/16	25.95	28.55	31.15	33.75	36.35	38.90	27.25	30.00	32.70	35.45	38.15
.095.....		26.40	29.00	31.70	34.35	37.00	39.60	27.75	30.45	33.30	36.00	38.85
.100.....	1/2	27.30	30.00	32.75	35.50	38.20	40.95	28.65	31.50	34.40	37.25	40.10
.111.....	3/8	29.75	32.75	35.70	38.65	41.65	44.65	31.25	34.40	37.50	40.60	43.75
.125.....	3/8	32.95	36.25	39.50	42.85	46.15	49.40	34.60	38.10	41.50	45.00	48.45

¹ These prices apply to all thicknesses less than .030" or 1/32".

NOTE: Add \$1.50 per M. S. M. for dry clipping.

TABLE 6—MAXIMUM PRICES FOR ROTARY CUT AND HALF-ROUND SWEET GUM AND WATER TUPELO AIRCRAFT VENEER PRODUCED AT MILLS LOCATED IN AREAS NOT COVERED BY TABLES 4 AND 5A

Thickness	Class A	Class B	Class C	Class D	Class E	Class F	Class AA	Class BB	Class CC	Class DD	Class EE	Class FF
.030 ¹	1/32	\$12.70	\$14.00	\$15.25	\$16.50	\$17.80	\$19.00	\$13.35	\$14.70	\$16.00	\$17.35	\$18.70
.031.....	1/32	13.00	14.30	15.60	16.90	18.20	19.50	13.65	15.00	16.40	17.75	19.10
.034.....	1/32	13.60	14.95	16.30	17.65	19.00	20.40	14.30	15.70	17.10	18.55	19.95
.036.....	1/32	13.90	15.30	16.70	18.05	19.45	20.85	14.60	16.10	17.55	18.95	20.45
.040.....	1/32	14.80	16.30	17.75	19.25	20.70	22.20	15.55	17.10	18.65	20.20	21.75
.042.....	1/32	15.20	16.70	18.25	19.75	21.30	22.80	15.95	17.55	19.15	20.75	22.35
.047.....	1/32	16.60	18.25	19.90	21.55	23.25	24.90	17.45	19.15	20.90	22.65	24.40
.050.....	1/32	17.05	18.75	20.45	22.15	23.85	25.55	17.90	19.70	21.50	23.25	25.00
.056.....	1/32	18.00	19.80	21.60	23.45	25.20	27.00	18.90	20.80	22.70	24.65	26.50
.060.....	1/32	18.70	20.55	22.45	24.30	26.20	28.00	19.65	21.60	23.60	25.60	27.50
.063.....	1/32	19.60	21.55	23.50	25.45	27.45	29.40	20.60	22.65	24.70	26.75	28.80
.067.....	1/32	20.40	22.45	24.50	26.50	28.55	30.60	21.40	23.60	25.75	27.85	30.00
.068.....		20.90	23.00	25.10	27.15	29.25	31.35	22.00	24.15	26.35	28.60	30.70
.071.....	1/4	21.65	23.70	25.85	28.00	30.15	32.30	22.65	24.90	27.15	29.40	31.65
.080.....		23.90	26.30	28.70	31.10	33.45	35.85	25.10	27.60	30.15	32.65	35.10
.083.....	1/2	24.85	27.35	29.80	32.30	34.80	37.25	26.10	28.70	31.30	33.90	36.55
.094.....	5/16	27.45	30.20	32.95	35.70	38.40	41.15	28.80	31.70	34.60	37.50	40.30
.095.....		27.90	30.70	33.50	36.30	39.00	41.85	29.30	32.25	35.20	38.10	41.00
.100.....	1/2	28.85	31.75	34.60	37.50	40.40	43.25	30.30	33.35	36.35	39.40	42.40
.111.....	3/8	31.40	34.55	37.70	40.85	43.95	47.10	33.00	36.30	39.60	42.90	46.15
.125.....	3/8	34.90	38.40	41.90	45.35	48.85	52.35	36.65	40.30	44.00	47.60	51.30

¹ These prices apply to all thicknesses less than .030" or 1/32".

NOTE.—Add \$1.50 per M. S. M. for dry clipping.

This regulation shall become effective March 13, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

PART 1401—SYNTHETIC TEXTILE PRODUCTS
[MPR 339]

WOMEN'S RAYON HOSIERY

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 339 has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator, the maximum prices established by this maximum price regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 339 is hereby issued.

Sec.

1401.101	Scope of the regulation.
1401.102	Transactions in rayon hosiery which are prohibited by this regulation.
1401.103	Enforcement and penalties.
1401.104	Maximum prices for rayon hosiery.
1401.105	Maximum prices for rayon hosiery not specifically priced in § 1401.104.
1401.106	Less than maximum prices may be charged.
1401.107	Information which must be furnished to purchasers.
1401.108	Information which must be furnished in sales other than at retail.
1401.109	Relation between Maximum Price Regulation No. 339 and the General Maximum Price Regulation.
1401.110	Relation of this regulation to other maximum price regulations.
1401.111	Explanation of terms (definitions).
1401.112	How this regulation may be amended.
1401.113	Geographical applicability of this regulation.
1401.114	Appendix A: Standards of inspection.
1401.115	Appendix B: Minimum requirements for Grade "A" rayon hosiery.
1401.116	Appendix C: Schedule of maximum prices.

AUTHORITY: §§ 1401.101 to 1401.116 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1401.101 *Scope of the regulation*—(a) *What retailers should look for particularly in this regulation.* (1) This regulation sets ceiling prices for women's rayon hosiery. It applies only to women's completely finished full-length hosiery which is made in whole or in part of rayon except that it does not apply to hosiery where the leg is made of rayon in combination with silk, wool, or nylon.

(2) The regulation divides retail sellers into three classes as to the ceiling prices which suppliers of rayon hosiery may charge them: Class I purchasers, Class II purchasers and Class III purchasers. Also retail sellers are divided into two classes as to the ceiling prices which they themselves may charge: Class I retail outlets and Class II retail outlets. In § 1401.104 (d) the differences between these classes is explained. It is very important that you find out the class in

which you belong because your ceiling prices depend on it. After you find in what class you belong, you find your ceiling prices by referring to Tables (3) and (6), which are in Appendix C at the end of the regulation.

(3) If you want to find your ceiling prices for "full-fashioned", "cut and sewn" and "semi-fashioned" rayon hosiery:

(i) You look at the first part of Table (3), if you are a Class I retail outlet, and

(ii) You look at the second part of Table (3), if you are a Class II retail outlet.

(4) If you want to find your ceiling prices for circular knit rayon hosiery:

(i) You look at the first part of Table (6), if you bought the hosiery from a manufacturer, and

(ii) You look at the second part of Table (6), if you bought the hosiery from a wholesaler.

(5) You will note that in the tables of ceiling prices, different ceiling prices are set for Grade "A" and Grade "B" hosiery. Also different ceiling prices are set for "first quality" hosiery and for "substandard hosiery, and for various constructions of hosiery. All rayon hosiery which is sold or delivered to you by your suppliers on and after April 15, 1943 must be marked to show its particular construction and whether it is Grade "A" or "B" and whether it is "first quality" or "substandard" (irregular, second or third). By reading Appendix A, you can find the differences between "first quality" and "substandard" hosiery. By reading Appendix B you find the differences between Grade "A" and Grade "B" hosiery. It is important to note that all ceiling prices for Grade "B" hosiery are automatically cut 25% on and after July 16, 1943. In § 1401.111 you will see the explanation of the technical terms which appear in the tables of ceiling prices.

(b) *Application of this regulation generally.* (1) The definitions of "sale at retail", "sale at wholesale" and "sales by manufacturers" are set forth in § 1401.104. It is important that these definitions be read very carefully since different ceiling prices are set for each class of seller. For example, if a company considers itself a "wholesaler", but it does not come within the definition of "wholesaler" set out in this regulation, it must observe the maximum prices for sales by manufacturers.

(2) The tables of ceiling prices are given in Appendix C of the regulation. Except for a limited number of special constructions, separate ceiling prices are established for Grade "A" and Grade "B" hosiery. In § 1401.115 minimum requirements for Grade "A" stockings are given; these are minimum standards of quality and construction. Grade "A" stockings are stockings that meet all of the listed requirements. Stockings that do not meet the requirements of Grade "A" are called Grade "B".

(3) The tables of prices provide for differentials or premiums at the manufacturing, wholesale and retail levels for special constructions. These include constructions that are more costly, such as outsizes and extra-lengths, as well as

constructions which enhance the utility of hosiery as, for example, cotton welts, "non-runs" and cotton feet.

(4) If a seller cannot find his ceiling price for his rayon hosiery in the tables, he must follow the procedure given in § 1401.105.

(5) In § 1401.107 marking and posting requirements are set forth, which will provide purchasers with information as to ceiling prices for the various classes of sellers for each kind of hosiery. In § 1401.108 provision is made for information which must be furnished to persons other than ultimate consumers.

(6) This regulation does not provide maximum prices for the hosiery which is covered by Maximum Price Regulation No. 95—Women's Nylon Hosiery,¹ and No. 274—Women's Silk Hosiery.²

§ 1401.102 *Transactions in rayon hosiery which are prohibited by this regulation.* On and after April 15, 1943, regardless of any contract or obligation, no person shall:

(a) Sell or deliver any rayon hosiery at a price higher than the maximum price established by this regulation; or

(b) Sell or deliver any rayon hosiery for which a maximum price is not provided in § 1401.116 unless he receives from the Office of Price Administration, Washington, D. C., a specific maximum price therefor, as provided by § 1401.105; or

(c) Require a purchaser to buy or agree to buy any other hosiery or other article, service, package or wrapper in connection with a sale or delivery of rayon hosiery; or

(d) Buy or receive rayon hosiery in the course of trade or business at a price higher than the maximum price established by this regulation; or

(e) Offer, attempt, or agree to do any of the acts prohibited by this regulation, or

(f) Do any other act which directly or indirectly increases above the maximum price the consideration paid by the purchaser for the rayon hosiery. Any practice which is a device to secure the effect of a higher-than-ceiling price is as much a violation as an outright raising of the maximum price. This applies to the devices making use of commissions, services, transportation arrangements, premiums, discounts, special privileges, tying-agreements, trade understandings and all similar practices.

§ 1401.103 *Enforcement and penalties.* Persons violating any provisions of this Maximum Price Regulation No. 339 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license provided by the Emergency Price Control Act of 1942, as amended.

§ 1401.104. *Maximum prices for rayon hosiery*—(a) *Sales at retail.* The maximum prices for which rayon hosiery may be sold, delivered, or offered for sale at retail are the prices per pair set forth below in Tables (3) and (6) of Appendix C (§ 1401.116).

¹ 7 F.R. 8521, 8948, 9492.

² 7 F.R. 9951, 10378, 10791.

*Copies may be obtained from the Office of Price Administration.

(1) *What is included in the term.* A "sale at retail" is any sale to an ultimate consumer.

(2) *Who is an ultimate consumer.* An "ultimate consumer" is any person (other than an industrial or commercial user) who

(i) Buys rayon hosiery for a purpose other than that of reselling it, and

(ii) Did not sell rayon hosiery in any quantity after January 31, 1942.

(b) *Sales at wholesale.* The maximum prices for which rayon hosiery may be sold, delivered or offered for sale at wholesale are the prices per dozen pairs set forth below in Tables (2) and (5) of Appendix C (§ 1401.116). These maximum prices do not apply unless the sale is a "sale at wholesale" as defined in this section. Sales, other than at retail, which do not qualify as "sales at wholesale" must be priced in accordance with the maximum prices set forth in Tables (1) and (4) of Appendix C.

(1) *What is included in the term.* A "sale at wholesale" is a sale of rayon hosiery, in any quantity, by a "wholesaler", who buys the hosiery after it has been knitted and assembled and who sells that "rayon hosiery" to anyone other than an ultimate consumer. A "sale at wholesale" also includes a sale to a commercial or industrial user, made by a person who sells principally at retail.

(2) *Who is a wholesaler.* A "wholesaler" is a seller who

(i) Is engaged in the business of selling women's hosiery to retailers generally,

(ii) Regularly carries representative stocks of women's hosiery belonging to him, in his own place of business,

(iii) Sells at least 10% of his total sales of women's hosiery out of stock (as opposed to "drop shipments"),

(iv) Is not (a) a manufacturer, (b) an agent, employee, selling agent, or subsidiary of a manufacturer, or (c) a broker, and

(v) Was operating a wholesale business under the conditions prescribed in subparagraphs (2) (i) to (2) (iv), both inclusive, during the month of January 1942, or entered the business of selling women's hosiery for resale after January 31, 1942. (In the latter case, in order to qualify as a wholesaler, the seller must within 5 days after first engaging in the business of selling rayon hosiery for resale pursuant to this regulation, send a notice of his making sales at wholesale to the Office of Price Administration, Washington, D. C. This notice should be in writing and must state the seller's name and address, and the date upon which the seller first engaged in the business of making sales at wholesale after the effective date of this regulation).

(c) *Sales by manufacturers.* The maximum prices for which rayon hosiery may be sold, delivered or offered for sale in any sale by a manufacturer other than at retail, are the prices per dozen pairs set forth in Tables (1) and (4) of Appendix C (§ 1401.116).

(1) *What is included in the term.* "Sales by manufacturers" include any sale by a "manufacturer" as defined below. The maximum prices set forth in Tables (1) and (4) of Appendix C apply also to

(1) All sales (other than sales at retail) which do not qualify as "sales at wholesale" as defined above, and

(ii) Any sale of "rayon hosiery" which

(a) The seller knit, sewed, or assembled, or

(b) Was manufactured from yarn or other materials supplied, purchased, or furnished by the seller.

(2) *Who is a manufacturer.* A manufacturer is any person who, directly or indirectly owns or operates a business engaged in sewing, knitting or assembling women's hosiery, or whose business is owned, controlled, conducted or managed in any way by a person who owns, or is engaged in a business of sewing, knitting, or assembling hosiery.

(d) *Classes of retail sellers.* A retail seller is any person who sells or offers to sell any rayon hosiery at retail. Each separate selling establishment, and each separate department within an establishment, is a separate seller. Retail sellers are classified as follows:

(1) *Class I retail women's hosiery outlet.* Every seller at retail who is a Class I purchaser (excepting "house-to-house" sellers) is a "Class I retail women's hosiery outlet."

(2) *Class II retail women's hosiery outlet.* Every seller at retail who is (i) a "house-to-house" seller, or (ii) a Class II purchaser, or (iii) a Class III purchaser, is a "Class II retail women's hosiery outlet."

(e) *Classes of purchasers.* (1) "Class I purchaser" means the following persons:

(i) Every retail seller who is also a "manufacturer" of women's hosiery as defined in this section.

(ii) Every retail seller who is also a "wholesaler" of women's hosiery as defined in this section.

(iii) Every retail seller who meets both of the following requirements:

(a) *First requirement.* The seller, or the central buying organization to which the seller belonged, made total annual sales of women's full-length hosiery exceeding \$250,000.00 in any year from 1939 to 1942, inclusive.

(b) *Second requirement.* The seller, or the central buying organization to which the seller belonged, had an average percentage of initial mark-up on women's full-length hosiery of 34% or less in any year from 1939 to 1942, inclusive. To determine this mark-up percentage, the seller must (1) compute the total of the initial retail prices at which all purchases of this hosiery were marked during a given year, (2) compute the total of all invoice charges on purchases of the hosiery during the same year (figured after all discount deductions, and including all transportation costs), and (3) subtract the total secured in (2) from the total secured in (1) and divide the remainder by the total obtained in (1).

(2) "Class II purchaser" means any retail seller who is not a Class I purchaser and who, alone or together with all sellers belonging to the same central buying organization, made total annual sales of women's full-length hosiery exceeding \$100,000.00 in any year from 1939 to 1942 inclusive.

(3) "Class III purchaser" means any person who is not a "Class I purchaser"

nor a "Class II purchaser". It includes industrial and commercial users.

(4) *Central buying organization.* A retail seller "belonged to a central buying organization" during any year from 1939 to 1942, inclusive, if during that year it was one of a group of sellers under common ownership or control, with a common purchasing office which bought 60% or more of the women's full-length hosiery that was bought by the entire group during that year.

(f) *Drop shipments.* A drop shipment of hosiery, sold at wholesale, is a shipment directly from the manufacturer to the purchaser.

(g) *When taxes may be added to the maximum price.* The seller may charge or collect in addition to the maximum price for any transaction the amount of tax levied on account of that transaction by any existing or future Federal excise tax statute, or by any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, in the following cases only:

(1) Where the statute or ordinance requires the seller to state the tax to the purchaser separately from the purchase price; or

(2) Where the statute or ordinance requires the tax to be separately paid by the purchaser with money, tokens or other means of tax payment; or

(3) Where the statute or ordinance permits the seller to state the tax to the purchaser separately from the purchase price, and the seller actually does so.

§ 1401.105 *Maximum prices for rayon hosiery not specifically priced in § 1401.116.* Maximum prices for rayon hosiery not specifically priced in § 1401.116 can be established only by specific authorization from the Office of Price Administration, Washington, D. C. No person is permitted to sell, deliver, or offer to sell rayon hosiery for which a maximum price is not provided in § 1401.116 unless he receives specific authorization from the Office of Price Administration.

A seller who wants to secure a specific maximum price for any type of rayon hosiery for which a maximum price is not provided in § 1401.116 must file with the Office of Price Administration in Washington, D. C., an application setting forth (a) a description in detail of the rayon hosiery for which a maximum price is sought; (b) a statement of the facts which differentiate such rayon hosiery from the rayon hosiery for which maximum prices are established under § 1401.116 of this regulation; and (c) such other information as may be required by the Office of Price Administration.

§ 1401.106 *Less than maximum prices may be charged.* Lower prices than the maximum prices established by this maximum price regulation may be charged.

§ 1401.107 *Information which must be furnished to purchasers—(a) By posting.* On and after April 15, 1943, every person who sells or offers for sale rayon hosiery must post in a conspicuous place and in a manner plainly visible to the purchasing public in each department or portion of the premises where rayon hosiery is

sold, or offered for sale, those portions of the tables set forth in Appendix C (§1401.116) which are applicable to transactions conducted on the premises.

(b) *By marking*—(1) *Information required*. On and after April 15, 1943, no person shall sell, deliver, or offer for sale rayon hosiery unless there is firmly affixed directly to each pair of such hosiery a transfer, marking or label which clearly and truthfully states identifying information as to the construction and price of the hosiery as follows:

(i) The word "ceiling" accompanied by the maximum price at retail under this regulation; (if the hosiery is circular knit and sold to a wholesaler the letter "W" must precede the maximum price);

(ii) The name, trade-mark registered in the United States Patent Office, or the Office of Price Administration registration number of the person who first sells the hosiery in a completely finished state; (such sellers can secure registration numbers by writing to the Office of Price Administration, Washington, D. C.);

(iii) The words "Grade A" or "Grade B" followed by the gauge or needle count of the hosiery;

(iv) The word "short" on all hosiery less than 27½" in length, which is size 9½ or smaller and on all hosiery less than 28" in length which is size 10 or larger;

(v) The word "long" on all hosiery more than 31½" in length which is size 10 or larger and on all hosiery more than 30" in length which is size 9½ or smaller;

(vi) The words "out-size" on all out-size hosiery;

(vii) The words "extra-long" on all hosiery more than 34" long;

(viii) The correct size of the foot in accordance with Commercial Standard CS 46-40 "Hosiery lengths and sizes"; and

(ix) The word "irregulars" on all irregulars; the word "seconds" on all seconds; and the word "thirds" on all thirds.

(2) *Method of marking*—(i) *How the marking must be attached*—(a) *To hosiery delivered on or after the effective date of this regulation*. The marking must be firmly affixed directly to each pair of hosiery by a transfer or stamp in the case of any hosiery delivered by the manufacturer thereof on or after the effective date of this regulation.

(b) *To hosiery delivered prior to the effective date of this regulation*. Hosiery which was delivered by the manufacturer thereof prior to the effective date of this regulation must be marked with a label, ticket, marker or other device which is firmly affixed to each pair of the hosiery, except that, if the hosiery is sold in a sealed envelope containing only one pair of stockings the marking may be attached to, or written or printed on, the outside of the envelope. If the marking is attached to the outside of the envelope it must appear on the envelope at the time the hosiery is offered for sale and at the time it is delivered to the purchaser.

(c) *Description of marking*. The information required by § 1401.107 (b) (1) (i), (ii), and (iii) must be stamped or transferred on the welt within a block

having dimensions no less than 1 inch by 1½ inches. No other printing or lettering is permitted within the block. Two examples of the block are set forth below:

Ceiling 92¢	Ceiling—W-35¢
X. Y. Z. Brand	O. P. A. No.—900
Grade A-45 gauge	Grade A-260 ndls

Any of the other information required by § 1401.107 (b) may be placed on the welt provided it does not confuse or obscure the information contained in the block or it may be placed upon the foot of the stocking.

§ 1401.108 *Information which must be furnished in sales other than at retail*—(a) *Information for marking and posting*. Within 5 days after the receipt of a written request from a purchaser of rayon hosiery by any person who has sold for resale or manufactured the rayon hosiery, such seller or manufacturer shall furnish to the purchaser, all information with respect to the construction and quality of the rayon hosiery which is pertinent to the marking or posting required of the purchaser by this regulation.

(b) *Disclosure of class of purchaser*. Within 10 days after receiving a written request, every person who buys or offers to buy rayon hosiery must truthfully inform the seller in writing of the class of purchaser to which the buyer belongs. Classes of purchasers are defined in § 1401.104 (e).

§ 1401.109 *Relation between Maximum Price Regulation No. 339 and the General Maximum Price Regulation*—

(a) *Provisions of General Maximum Price Regulation incorporated in this regulation*. The General Maximum Price Regulation shall not apply and this regulation shall apply to sales, deliveries and offers to sell rayon hosiery. However, the following sections of the General Maximum Price Regulation are made a part of this regulation and each seller must comply with them:

(1) Current records (§ 1499.12).

(2) Sales slips and receipts (§ 1499.14).

(3) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to every person selling rayon hosiery at wholesale or retail.

(b) *Definitions incorporated by reference*. Unless the context otherwise requires, or unless otherwise specifically provided herein, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

§ 1401.110 *Relation of this regulation to other maximum price regulations*—

(a) *Maximum Price Regulation No. 157*.⁷ Maximum Price Regulation No.

⁷ F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6516, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9613, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110, 2346.

⁸ 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948.

157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—shall apply, and this regulation shall not apply to transactions regulated or governed by Maximum Price Regulation No. 157.

(b) *Maximum Price Regulation No. 172*.⁸ Maximum Price Regulation No. 172—Charges of Contractors in Apparel Industry—shall apply, and this regulation shall not apply to transactions for which maximum prices are established by Maximum Price Regulation No. 172.

(c) *Revised Maximum Export Price Regulation*.⁹ Revised Maximum Export Price Regulation shall apply, and this regulation shall not apply to sales and deliveries for which maximum prices are established by Revised Maximum Export Price Regulation issued by the Office of Price Administration.

§ 1401.111 *Explanation of terms (definitions)*. (a) "Rayon hosiery" means any women's completely finished full-length hosiery which is made in whole or in part of rayon, except hosiery in which the leg is made of rayon in combination with silk, wool or nylon.

(b) "Substandard quality" hosiery means hosiery not of first quality. This includes (1) irregulars; (2) seconds; and (3) thirds. These terms are defined in § 1401.114 Appendix A—Inspection Standards.

(c) *Grade "A" and Grade "B" hosiery*. Grade "A" hosiery is rayon hosiery which meets all of the specifications set forth in § 1401.115—Appendix B—Minimum requirements for Grade "A" hosiery. If the hosiery fails to meet any one or more of the minimum requirements set forth in Appendix B it is classed as Grade "B" hosiery.

(d) The "gauge" of full-fashioned hosiery is the number of needles per 1½" of the needle bar on which the hosiery is knit, assuming use of the full needle bar except for a tolerance of 4 needles.

(e) The "needle count" of circular knit hosiery is the total number of needles on the knitting cylinder of the machine on which the hosiery is knit.

(f) *Full-fashioned out-size hosiery*. (1) "14" and 14½" out-size hosiery" is hosiery which

(i) Is knit on 14" or 14½" needle bar respectively, using the full needle bar (with a tolerance of 4 needles);

(ii) Is made with no fashionings or narrowings at the flare;

(iii) Contains the minimum number of courses required for Grade "A" hosiery 31" long in § 1401.115 (b) (10), Appendix B; and

(iv) Is boarded on out-size forms in accordance with accepted trade practice.

(2) "15" and 16" out-size hosiery" is hosiery which is

(i) Knit on a full 15" or 16" needle bar, respectively (with a tolerance of 4 needles);

(ii) Made without narrowings or fashionings in the flare; and

(iii) Is boarded on out-size forms in accordance with accepted trade practice.

⁹ 7 F.R. 4882, 6684, 8351, 8949, 10864.

⁹ 7 F.R. 5059, 7242, 8829, 9000, 10530.

of turns per inch in one direction, and does not refer to the applied or inserted twist. The twist of plied yarn must be the twist required for the equivalent singles yarn.

(5) *Cotton reinforcements.* Cotton reinforcing is required in the toe section of all full fashioned hosiery and in the toe and heel of all circular knit hosiery. The reinforcement must be in addition to a yarn of a weight equivalent to, or greater than the yarn used in the leg of the stocking. The cotton toe section shall extend at least 2 inches from the tip of the toe.

(6) *Use of rayon yarns—(1) Yarns below 50 denier.* Rayon yarns below 50 denier may be used only if plied and twisted to a total denier of 50 denier or higher. The denier of plied and twisted yarn is deemed to be equal to the sum of deniers of the component yarns.

(ii) *Use of 65 denier cuprammonium.* Sixty-five denier cuprammonium yarn shall be considered equivalent to 75 denier and may be employed as an alternate wherever 75 denier is specified.

(iii) *Denier numbers.* Denier numbers which fall between specified deniers are, for the purpose of these specifications, deemed to be the equivalent of the next lower specified denier.

(7) *Length requirements—(i) Full fashioned hosiery.* (a) Regular or medium lengths (hosiery not marked "short" or "long").

For sizes 8 to 9½, both inclusive the minimum length is 27½ inches and the maximum is 29½ inches.

For sizes 10 to 11, both inclusive. The minimum length is 28 inches and the maximum is 30 inches.

Regular or medium lengths must be furnished by the seller unless otherwise specified by the purchaser. "Proportioned" lengths may be supplied by the seller, only on specific request of the purchaser.

(b) *Marking requirements.* For marking requirements which apply to "short" and "long" hosiery, see provisions of § 1401.107 (b).

(c) *Basic minimum lengths for all full fashioned hosiery.* No Grade "A" hosiery may be made less than 26½ inches long in sizes 8 to 9½, both inclusive, or less than 27 inches in sizes 10 to 11, both inclusive.

(ii) *Circular knit hosiery.* (Regular or medium lengths.) The minimum length permitted is 29 inches. The maximum length permitted is 31 inches.

(8) *Compliance with marking requirements.* To be constituted Grade "A", hosiery must be accurately and completely marked in accordance with the provisions of this regulation.

(9) *Maximum fineness of yarns permitted—(i) In full fashioned hosiery.* No finer yarns may be used than the deniers of rayon or counts of cotton yarn (for each specified gauge) set forth in Table No. 1 for the welt, leg, heel and sole reinforcing and toe reinforcing yarns respectively.

(ii) *In circular knit hosiery.* No finer yarns may be used than the deniers of rayon or counts of cotton yarn (for each specified needle count) set forth in Table No. 2 for welt, leg, and reinforcing yarns respectively.

(10) *Courses—(i) Minimum total courses required.* The minimum total courses required for hosiery 29 inches long is the number of courses in the leg and welt for each specified gauge respectively set forth in Table 1 for full fashioned hosiery and for each specified needle count respectively set forth in Table No. 2, for circular knit hosiery. If the hosiery is less than 28 inches long it may be coursed proportionately lower, as compared with 29 inch hosiery, thus hosiery 27 inches long must have a minimum of 27/29ths of minimum courses required for 29 inch hosiery. If the hosiery is longer than 30 inches it must be coursed proportionately higher than 29

inch hosiery, thus hosiery 31 inches long must have 31/29ths of the minimum courses required for 29 inch hosiery.

(ii) *How courses are calculated.* The minimum total courses specified are based on the following reference points:

(a) *Full fashioned hosiery—(1) Conventional two-unit machines.* Total courses are counted from the start of the knitting to the heel loose course.

(2) *Single-unit machines.* Total courses are counted from the start of the knitting to the widest point of the heel.

(b) *Circular knit hosiery.* In circular knit hosiery courses are counted from the top of the low heel to the end of the inside turn of the welt.

(11) TABLE 1
YARN FINENESS AND MINIMUM COURSE REQUIREMENTS FOR FULL FASHIONED HOSE

(i) Maximum fineness of yarns permitted

Gauge	Leg yarn denier	Welt		Heel and sole reinforcing yarn (denier)	Toe reinforcing yarn (cotton count)
		Rayon denier	Cotton count		
39.....	150	150	70/2 ply.....	100.....	90/2 ply.
42.....	100	125	80/2 ply.....	100.....	90/2 ply.
45.....	75	100	100/2 ply.....	100.....	100/2 ply.
48.....	75	100	100/2 pply.....	100.....	100/2 ply.
51 and higher.....	50	100	120/2 ply.....	(1) 75 denier with 50 denier leg. (2) 100 denier with 75 denier leg.	120/2 ply.

NOTES: (a) Cotton may be used in place of rayon yarn where rayon is specified for heel and sole reinforcing.
(b) The numbers specified in this table represent the maximum spinning fineness permissible. In each instance, yarn of higher denier or lower cotton count may be employed. Cotton yarns are specified as two-ply; in the event that singles yarn is employed, it must be no lighter in weight than the singles equivalent of the two-ply yarn specified.
(c) Denier of plied and twisted yarn equals the sum of the deniers plied.

(ii) Minimum total courses

Gauge	Minimum total courses required for specified deniers knit on conventional "legger-footer" machines	Minimum total courses for specified deniers knit on single-unit machines
39 (All deniers).....	1190	1150
42 (a) 150 denier (and higher).....	1240	1200
(b) 100 & 125 denier.....	1340	1300
45 (a) 150 denier (and higher).....	1340	1300
(b) 100 & 125 denier.....	1400	1360
(c) 75 denier.....	1400	1410
48 (a) 100 & 125 denier.....	1400	1360
(b) 75 denier.....	1450	1410
51 (a) 100 & 125 denier.....	1450	1410
(b) 75 denier.....	1600	1460
(c) 50 denier.....	1600	1560
54 and higher.....	1650	1610
(a) 75 denier.....	1700	1660
(b) 50 denier.....		

NOTE: (a) If cotton welt is used a tolerance not to exceed 40 courses is permitted.

(12) TABLE 2
YARN FINENESS AND MINIMUM COURSE REQUIREMENTS FOR CIRCULAR KNIT HOSE

(i) Maximum fineness of yarns permitted

Needle count	Leg yarn denier	Welt		Heel and toe reinforcing yarn (cotton count)
		Rayon denier	Cotton count	
260 and 280.....	150	150	60/2 ply.....	70/2 ply.
300.....	100	150	80/2 ply.....	80/2 ply.
320.....	75	100	100/2 ply.....	90/2 ply.
340.....	75	100	120/2 ply.....	100/2 ply.
360 to 380.....	50	100	120/2 ply.....	120/2 ply.
400.....	50	100	120/2 ply.....	120/2 ply.

NOTES: (a) The numbers specified in this table represent the maximum spinning fineness permissible. In each instance, yarn of higher denier or lower cotton count may be employed. Cotton yarns are specified as two-ply in the event that singles yarn is employed, it must be no lighter in weight than the singles equivalent of the two-ply yarn specified.
(b) Denier of plied and twisted yarn equals the sum of the deniers plied.

(ii) Minimum total courses		(ii) Minimum total courses—Con.	
Needle count:	Minimum total courses required	Needle count—Continued.	Minimum total courses required
260	960	360 to 380:	
280	1008	(a) 75 denier	1320
300	1104	(b) 50 denier	1392
320:		400	1400
(a) 100 denier	1152	NOTE: (a) If cotton welt is used a tolerance not to exceed 40 courses is permitted.	
(b) 75 denier	1200	§ 1401.116 Appendix C: Schedules of maximum prices—(a) Tables of maximum prices for full-fashioned "cut and sewn" and semi-fashioned hosiery.	
340:			
(a) 100 denier	1260		
(b) 75 denier	1332		

TABLE 1—SALES BY MANUFACTURERS (PRICES ARE EXPRESSED IN DOLLARS PER DOZEN F. O. B. POINT OF SHIPMENT). ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE THE PRICES LISTED HEREIN, LESS 25 PER CENT

(i) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament								
1. 39 gauge:								
(a) to Class I purchaser	\$5.90	\$5.40	\$5.01	\$4.59	\$3.94	\$3.60	\$2.95	\$2.70
(b) to Class II purchaser	6.05	5.55	5.14	4.72	4.04	3.70	3.02	2.77
(c) to Class III purchaser	6.15	5.65	5.23	4.80	4.10	3.77	3.07	2.82
2. 42 gauge:								
(a) to Class I purchaser	6.20	5.55	5.27	4.72	4.14	3.70	3.10	2.77
(b) to Class II purchaser	6.35	5.70	5.40	4.84	4.24	3.80	3.17	2.85
(c) to Class III purchaser	6.45	5.80	5.48	4.93	4.30	3.87	3.22	2.90
3. 45 gauge:								
(a) to Class I purchaser	6.70	5.95	5.70	5.06	4.47	3.97	3.35	2.97
(b) to Class II purchaser	6.85	6.10	5.82	5.18	4.57	4.07	3.42	3.05
(c) to Class III purchaser	6.95	6.20	5.91	5.27	4.64	4.14	3.47	3.10
4. 48 gauge:								
(a) to Class I purchaser	7.20	6.45	6.12	5.48	4.80	4.30	3.60	3.22
(b) to Class II purchaser	7.35	6.60	6.25	5.61	4.90	4.40	3.67	3.30
(c) to Class III purchaser	7.45	6.70	6.33	5.69	4.97	4.47	3.72	3.35
5. 51 gauge:								
(a) to Class I purchaser	7.70	6.95	6.54	5.91	5.14	4.64	3.85	3.47
(b) to Class II purchaser	7.85	7.10	6.67	6.03	5.24	4.74	3.92	3.55
(c) to Class III purchaser	7.95	7.20	6.76	6.12	5.30	4.80	3.97	3.60
6. 54 and 57 gauge:								
(a) to Class I purchaser	8.65	7.90	7.35	6.71	5.77	5.27	4.32	3.95
(b) to Class II purchaser	8.85	8.10	7.52	6.88	5.90	5.40	4.42	4.05
(c) to Class III purchaser	9.00	8.25	7.65	7.01	6.00	5.50	4.50	4.12
7. 60 gauge and higher:								
(a) to Class I purchaser	9.65	8.90	8.20	7.56	6.44	5.94	4.82	4.45
(b) to Class II purchaser	9.85	9.10	8.37	7.73	6.57	6.07	4.92	4.55
(c) to Class III purchaser	10.00	9.25	8.50	7.86	6.67	6.17	5.00	4.62
B. Continuous filament (outsized)								
1. 39 gauge, 14-14½" head:								
(a) to Class I purchaser	6.40	5.65	5.44	4.80	4.27	3.77	3.20	2.82
(b) to Class II purchaser	6.55	5.80	5.67	4.93	4.37	3.87	3.27	2.90
(c) to Class III purchaser	6.65	5.90	5.65	5.01	4.44	3.94	3.32	2.95
15-15½" head:								
(a) to Class I purchaser	6.90	6.15	5.86	5.23	4.60	4.10	3.45	3.07
(b) to Class II purchaser	7.05	6.30	5.99	5.35	4.70	4.20	3.52	3.15
(c) to Class III purchaser	7.15	6.40	6.08	5.44	4.77	4.27	3.57	3.20
16" head or wider:								
(a) to Class I purchaser	7.40	6.65	6.29	5.65	4.94	4.44	3.70	3.32
(b) to Class II purchaser	7.55	6.80	6.42	5.78	5.04	4.54	3.77	3.40
(c) to Class III purchaser	7.65	6.90	6.50	5.86	5.10	4.60	3.82	3.45
2. 42 gauge, 14-14½" head:								
(a) to Class I purchaser	6.70	5.95	5.69	5.06	4.47	3.97	3.35	2.97
(b) to Class II purchaser	6.85	6.10	5.82	5.18	4.57	4.07	3.42	3.05
(c) to Class III purchaser	6.95	6.20	5.91	5.27	4.64	4.14	3.47	3.10
15-15½" head:								
(a) to Class I purchaser	7.20	6.45	6.12	5.48	4.80	4.30	3.60	3.22
(b) to Class II purchaser	7.35	6.60	6.25	5.61	4.90	4.40	3.67	3.30
(c) to Class III purchaser	7.45	6.70	6.33	5.69	4.97	4.47	3.72	3.35
16" head or wider:								
(a) to Class I purchaser	7.70	6.95	6.54	5.91	5.14	4.64	3.85	3.47
(b) to Class II purchaser	7.85	7.10	6.67	6.03	5.24	4.74	3.92	3.55
(c) to Class III purchaser	7.95	7.20	6.76	6.12	5.30	4.80	3.97	3.60
3.45 gauge and higher, 14-14½" head:								
(a) to Class I purchaser	7.20	6.45	6.12	5.48	4.80	4.30	3.60	3.22
(b) to Class II purchaser	7.35	6.60	6.25	5.61	4.90	4.40	3.67	3.30
(c) to Class III purchaser	7.45	6.70	6.33	5.69	4.97	4.47	3.72	3.35
15-15½" head:								
(a) to Class I purchaser	7.70	6.95	6.54	5.91	5.14	4.64	3.85	3.47
(b) to Class II purchaser	7.85	7.10	6.67	6.03	5.24	4.74	3.92	3.55
(c) to Class III purchaser	7.95	7.20	6.76	6.12	5.30	4.80	3.97	3.60
16" head or wider:								
(a) to Class I purchaser	8.20	7.45	6.97	6.33	5.47	4.97	4.10	3.72
(b) to Class II purchaser	8.35	7.60	7.10	6.46	5.57	5.07	4.17	3.80
(c) to Class III purchaser	8.45	7.70	7.18	6.54	5.64	5.14	4.22	3.85

TABLE 1—Continued
(ii) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
C. Mesh and non-run				
1. 42 gauge and lower:				
(a) to Class I purchaser.....	\$8.20	\$6.97	\$5.47	\$4.10
(b) to Class II purchaser.....	8.35	7.10	5.57	4.17
(c) to Class III purchaser.....	8.45	7.18	5.64	4.22
2. 45 gauge and higher:				
(a) to Class I purchaser.....	8.70	7.39	5.80	4.35
(b) to Class II purchaser.....	8.85	7.52	5.90	4.42
(c) to Class III purchaser.....	8.95	7.61	5.97	4.47
D. Full lace and jacquards.				
1. 42 gauge and lower:				
(a) to Class I purchaser.....	9.20	7.82	6.14	4.60
(b) to Class II purchaser.....	9.35	7.95	6.24	4.67
(c) to Class III purchaser.....	9.45	8.03	6.30	4.72
2. 45 and 48 gauge:				
(a) to Class I purchaser.....	9.70	8.24	6.47	4.85
(b) to Class II purchaser.....	9.85	8.37	6.57	4.92
(c) to Class III purchaser.....	9.95	8.46	6.64	4.97
3. 51 gauge and higher:				
(a) to Class I purchaser.....	10.70	9.09	7.14	5.35
(b) to Class II purchaser.....	10.85	9.22	7.24	5.42
(c) to Class III purchaser.....	10.95	9.31	7.30	5.47
E. Cut and sewn lace or mesh				
(a) to Class I purchaser.....	7.20	6.12	4.80	3.60
(b) to Class II purchaser.....	7.35	6.25	4.90	3.67
(c) to Class III purchaser.....	7.45	6.33	4.97	3.72
F. Semi-fashioned continuous filament (Burson type)				
1. Standard:				
(a) to Class I purchaser.....	4.35	3.70	2.90	2.17
(b) to Class II purchaser.....	4.50	3.82	3.00	2.25
(c) to Class III purchaser.....	4.60	3.91	3.07	2.30
2. Outsizes:				
(a) to Class I purchaser.....	4.60	4.16	3.27	2.45
(b) to Class II purchaser.....	5.05	4.29	3.37	2.52
(c) to Class III purchaser.....	5.15	4.38	3.43	2.57
3. Extra-outsized:				
(a) to Class I purchaser.....	5.90	5.01	3.94	2.95
(b) to Class II purchaser.....	6.05	5.14	4.04	3.02
(c) to Class III purchaser.....	6.15	5.23	4.10	3.07
G. Maximum price differentials for specific constructions (to be added to prices per dozen set forth for constructions A to D both inclusive)				
1. Premium welts (welts made of: cotton, silk, spun rayon, blended or combination yarn).....	.50	.42	.33	.25
2. Extra lengths (34 inches minimum).....	.75	.64	.50	.37
3. Premium heel and sole (heel and sole reinforced with cotton; spun rayon or combination yarn).....	.35	.30	.23	.17
4. Leg made of spun rayon, blended plied or combination yarn with premium welt and premium heel and sole.....	1.75	1.49	1.17	.87

TABLE 2—SALES AT WHOLESALE (PRICES ARE EXPRESSED IN DOLLARS PER DOZEN F. O. B. POINT OF SHIPMENT). ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER, MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE THE PRICES LISTED HEREIN LESS 25%

(i) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament:								
1. 39 gauge.....	\$6.78	\$6.21	\$5.77	\$5.28	\$4.53	\$4.14	\$3.39	\$3.10
2. 42 gauge.....	7.13	6.38	6.06	5.43	4.76	4.25	3.56	3.18
3. 45 gauge.....	7.70	6.84	6.55	5.82	5.14	4.56	3.85	3.41
4. 48 gauge.....	8.28	7.41	7.03	6.30	5.52	4.94	4.14	3.70
5. 51 gauge.....	8.85	7.99	7.53	6.79	5.91	5.33	4.43	3.99
6. 54 and 57 gauge.....	9.94	9.08	8.45	7.72	6.63	6.06	4.97	4.54
7. 60 gauge and higher.....	11.09	10.23	9.43	8.70	7.40	6.83	5.54	5.11
B. Continuous filament (outsized):								
1. 39 gauge:								
14-14 1/2" head.....	7.36	6.49	6.25	5.52	4.91	4.33	3.68	3.24
15-15 1/2" head.....	7.93	7.07	6.75	6.01	5.29	4.71	3.97	3.53
16" head or wider.....	8.51	7.64	7.22	6.49	5.68	5.10	4.25	3.82
2. 42 gauge:								
14-14 1/2" head.....	7.70	6.84	6.55	5.82	5.14	4.56	3.85	3.41
15-15 1/2" head.....	8.28	7.41	7.03	6.30	5.52	4.94	4.14	3.70
16" head or wider.....	8.85	7.99	7.53	6.79	5.91	5.33	4.43	3.99
3. 45 gauge:								
14-14 1/2" head.....	8.28	7.41	7.03	6.30	5.52	4.94	4.14	3.70
15-15 1/2" head.....	8.85	7.99	7.53	6.79	5.91	5.33	4.43	3.99
16" head or wider.....	9.43	8.56	8.01	7.28	6.29	5.71	4.71	4.28

TABLE 2—Continued
(ii) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
O. Mesh and non-run:				
1. 42 gauge and lower.....	\$9.43	\$8.01	\$6.29	\$4.71
2. 45 gauge and higher.....	10.00	8.51	6.67	5.00
D. Full lace and jacquards:				
1. 42 gauge and lower.....	10.57	8.99	7.06	5.29
2. 45 gauge and 48 gauge.....	11.15	9.49	7.44	5.57
3. 51 gauge and higher.....	12.30	10.46	8.21	6.15
E. Cut-and-sewn lace or mesh.....	8.28	7.03	5.52	4.14
F. Semi-fashioned, continuous filament (Burson type):				
1. Standard.....	5.00	4.25	3.33	2.49
2. Outsize.....	5.63	4.79	3.76	2.82
3. Extra outsize.....	6.78	5.77	4.52	3.39
G. Maximum price differentials for specific constructions (to be added to prices per dozen set forth for constructions A to D both inclusive):				
1. Premium welts (welts made of cotton, silk, spun rayon, blended or combination yarn).....	.57	.49	.39	.29
2. Extra lengths (34 inches minimum).....	.86	.73	.57	.42
3. Premium heel and sole (heel and sole reinforced with cotton, spun rayon or combination yarn).....	.40	.34	.26	.18
4. Leg made of spun rayon, blended, plied or combination yarn with premium welt and premium heel and sole.....	2.01	1.71	1.35	1.00

NOTE: All maximum prices are for sales out of stock; maximum prices for "drop shipments" are the prices set forth above less 3%.

TABLE 3—SALES AT RETAIL. (PRICES ARE EXPRESSED IN DOLLARS PER PAIR F. O. B. POINT OF SHIPMENT.) ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE THE PRICES LISTED HEREIN LESS 25%

(i) Maximum prices for Class I retail women's hosiery outlets—(a) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament:								
1. 39 gauge.....	\$0.71	\$0.65	\$0.60	\$0.55	\$0.47	\$0.43	\$0.35	\$0.32
2. 42 gauge.....	.75	.67	.63	.57	.50	.44	.37	.33
3. 45 gauge.....	.81	.72	.69	.61	.54	.48	.40	.36
4. 48 gauge.....	.86	.77	.74	.66	.58	.52	.43	.39
5. 51 gauge.....	.93	.84	.79	.71	.62	.56	.46	.42
6. 54 and 57 gauge.....	1.04	.95	.88	.81	.69	.63	.52	.47
7. 60 gauge and higher.....	1.16	1.07	.99	.91	.77	.71	.58	.53
B. Continuous filament (outsized):								
1. 39 gauge: 14-14½" head.....	.77	.68	.65	.58	.51	.45	.38	.34
15-15½" head.....	.83	.74	.71	.63	.55	.49	.41	.37
16" head or wider.....	.89	.80	.76	.68	.59	.53	.44	.40
2. 42 gauge: 14-14½" head.....	.81	.72	.69	.61	.54	.48	.40	.36
15-15½" head.....	.87	.78	.74	.66	.58	.52	.43	.39
16" head or under.....	.93	.84	.79	.71	.62	.56	.46	.42
3. 45 gauge: 14-14½" head.....	.87	.78	.74	.66	.58	.52	.43	.39
15-15½" head.....	.93	.84	.79	.71	.62	.56	.46	.42
16" head or wider.....	.99	.90	.84	.76	.66	.60	.49	.45

(b) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
C. Mesh and non-run:				
1. 42 gauge and lower.....	\$0.98	\$0.84	\$0.66	\$0.49
2. 45 gauge and higher.....	1.04	.89	.70	.52
D. Full lace and jacquards:				
1. 42 gauge and lower.....	1.11	.94	.74	.55
2. 45 gauge and 48 gauge.....	1.16	.99	.78	.58
3. 51 gauge and higher.....	1.29	1.09	.86	.64
E. Cut-and-sewn lace or mesh.....	.86	.74	.58	.43
F. Semi-fashioned, continuous filament (Burson type):				
1. Standard.....	.52	.44	.35	.26
2. Outsize.....	.59	.50	.39	.29
3. Extra outsize.....	.71	.60	.47	.35
G. Maximum price differentials for specific constructions (to be added to prices per pair set forth for constructions A to D both inclusive):				
1. Premium welts (welts made of cotton, silk, spun rayon, blended or combination yarn).....	.07	.06	.05	.04
2. Extra lengths (34 inches minimum).....	.10	.08	.07	.05
3. Premium heel and sole (heel and sole reinforced with cotton, spun rayon or combination yarn).....	.05	.04	.03	.02
4. Leg made of spun rayon, blended, plied or combination yarn with premium welt and premium heel and sole.....	.22	.49	.15	.11

TABLE 3—Continued

(ii) Maximum prices for Class II retail women's hosiery outlets.—(a) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament:								
1. 39 gauge.....	\$0.80	\$0.74	\$0.68	\$0.63	\$0.54	\$0.49	\$0.40	\$0.37
2. 42 gauge.....	.84	.76	.72	.64	.56	.50	.42	.38
3. 45 gauge.....	.92	.80	.78	.69	.61	.54	.45	.40
4. 48 gauge.....	.98	.88	.83	.75	.65	.58	.49	.44
5. 51 gauge.....	1.05	.95	.89	.80	.69	.63	.52	.47
6. 54 and 57 gauge.....	1.18	1.08	1.00	.92	.78	.72	.59	.54
7. 60 gauge and higher.....	1.31	1.21	1.11	1.03	.87	.81	.65	.60
B. Continuous filament outside:								
1. 39 gauge:								
14-14½" head.....	.87	.77	.74	.65	.58	.51	.43	.38
15-15½" head.....	.94	.84	.80	.71	.63	.56	.47	.42
16" head and wider.....	1.01	.91	.86	.77	.67	.60	.50	.45
2. 42 gauge:								
14-14½" head.....	.91	.81	.78	.69	.61	.54	.46	.40
15-15½" head.....	.98	.88	.83	.75	.65	.59	.49	.44
16" head or wider.....	1.05	.95	.89	.81	.70	.63	.52	.47
3. 45 gauge:								
14-14½" head.....	.98	.88	.83	.75	.65	.59	.49	.44
15-15½" head.....	1.04	.95	.89	.81	.70	.63	.52	.47
16" head or wider.....	1.11	1.02	.95	.86	.75	.68	.56	.51

(b) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
C. Mesh and non-run:				
1. 42 gauge.....	\$1.11	\$0.95	\$0.75	\$0.56
2. 45 gauge.....	1.18	1.00	.79	.59
D. Full lace and jacquards:				
1. 42 gauge.....	1.25	1.06	.83	.62
2. 45 gauge.....	1.32	1.11	.87	.65
3. 51 gauge.....	1.45	1.23	.96	.72
E. Cut and sewn lace or mesh.....	.98	.83	.65	.49
F. Semi-fashioned, continuous filament (Burson Type):				
1. Standard.....	.59	.50	.39	.30
2. Outsize.....	.67	.57	.44	.33
3. Extra outsize.....	.80	.68	.54	.40
G. Maximum price differentials for specific constructions (to be added to prices per pair set forth for constructions A to D both inclusive):				
1. Premium welts (welts made of cotton, silk, spun rayon, blended or combination yarn).....	.07	.06	.05	.04
2. Extra lengths (¾ inches minimum).....	.10	.08	.07	.05
3. Premium heel and sole (Heel and sole reinforced with cotton, spun rayon or combination yarn).....	.05	.04	.03	.02
4. Leg made of spun rayon, blended plied or combination yarn with premium welt and premium heel and sole.....	.22	.19	.15	.11

(b) Tables of maximum prices for circular knit hosiery.

TABLE 4—SALES OF CIRCULAR KNIT HOSIERY BY MANUFACTURERS. (PRICES ARE EXPRESSED IN DOLLARS PER DOZEN F. O. B. POINT OF SHIPMENT.) ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE PRICES LISTED HEREIN, LESS 25 PER CENT

(i) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous Filament (Plain Knit):								
1. 220-240 needle count.....	\$2.25	\$2.00	\$1.91	\$1.70	\$1.50	\$1.33	\$1.12	\$1.00
2. 260 needle count.....	2.50	2.10	2.13	1.70	1.67	1.40	1.25	1.05
3. 280 needle count.....	2.60	2.20	2.21	1.87	1.73	1.47	1.30	1.10
4. 300 needle count.....	2.95	2.50	2.51	2.13	1.97	1.67	1.48	1.25
5. 320 needle count.....	3.10	2.60	2.64	2.21	2.07	1.73	1.55	1.30
6. 340 needle count.....	3.75	3.00	3.19	2.55	2.50	2.00	1.88	1.50
7. 360 needle count and higher.....	4.50	3.75	3.83	3.19	3.00	3.50	2.25	1.88

TABLE 4—Continued
(ii) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
B. Premium constructions (Leg made of blended rayon, spun rayon, or combination yarn with premium welt):				
1. 220-240 needle count.....	\$3.00	\$2.55	\$2.00	\$1.50
2. 260 needle count.....	3.10	2.64	2.07	1.55
3. 280 needle count.....	3.20	2.72	2.13	1.60
4. 300 needle count.....	3.50	2.98	2.33	1.75
5. 320 needle count and higher.....	3.60	3.06	2.40	1.80
C. Mesh constructions:				
1. 220-240 needle count:				
1-end.....	2.75	2.34	1.83	1.38
2-end.....	3.25	2.75	2.17	1.63
2. 260-280 needle count:				
1-end.....	3.00	2.55	2.00	1.50
2-end.....	3.50	2.98	2.33	1.75
3. 300-320 needle count:				
1-end.....	3.50	2.98	2.33	1.75
2-end.....	4.00	3.40	2.67	2.00
D. Maximum price differentials, for specific constructions (to be added to prices per dozen set forth for regular and mesh constructions):				
1. Premium welts (welts made of cotton, blended rayon, spun rayon, or combination yarn).....	.40	.34	.27	.20
2. Outsizes.....	.30	.26	.20	.15
3. Plied yarn, in leg.....	.60	.51	.40	.30

TABLE (5)—SALES AT WHOLESALE OF CIRCULAR KNIT HOSIERY. (PRICES ARE EXPRESSED IN DOLLARS PER DOZEN, F. O. B. POINT OF SHIPMENT. ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE PRICES LISTED HEREIN LESS 25%)

(i) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament (plain knit):								
1. 220-240 needle count.....	\$2.65	\$2.35	\$2.25	\$2.00	\$1.76	\$1.56	\$1.32	\$1.18
2. 260 needle count.....	2.94	2.47	2.51	2.11	1.96	1.65	1.47	1.24
3. 280 needle count.....	3.06	2.59	2.60	2.20	2.04	1.73	1.53	1.29
4. 300 needle count.....	3.47	2.94	2.95	2.51	2.32	1.96	1.73	1.47
5. 320 needle count.....	3.65	3.06	3.11	2.60	2.44	2.04	1.82	1.53
6. 340 needle count.....	4.41	3.53	3.75	3.00	2.94	2.35	2.20	1.76
7. 360 needle count and higher.....	5.29	4.41	4.51	3.75	3.53	2.94	2.65	2.20

(ii) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
B. Premium constructions (leg made of blended rayon, spun rayon or combination yarn with premium welt):				
1. 220-240 needle count.....	\$3.53	\$3.00	\$2.35	\$1.75
2. 260 needle count.....	3.65	3.11	2.44	1.82
3. 280 needle count.....	3.76	3.20	2.51	1.88
4. 300 needle count.....	4.12	3.51	2.74	2.06
5. 320 needle count and higher.....	4.24	3.60	2.82	2.12
C. Mesh constructions:				
1. 220-240 needle count:				
1-end.....	3.24	2.75	2.15	1.62
2-end.....	3.82	3.25	2.55	1.92
2. 260-280 needle count:				
1-end.....	3.53	3.00	2.35	1.76
2-end.....	4.12	3.51	2.74	2.06
3. 300-320 needle count:				
1-end.....	4.12	3.51	2.74	2.06
2-end.....	4.71	4.00	3.14	2.35
D. Maximum price differentials for specific constructions (to be added to prices per dozen set forth for regular and mesh constructions):				
1. Premium welts (welts made of cotton, blended rayon, spun rayon, or combination yarn).....	.47	.40	.32	.24
2. Outsizes.....	.35	.31	.24	.18
3. Plied yarn in leg.....	.71	.60	.47	.35

NOTE: All maximum prices are for sales out of stock; maximum prices for "drop shipments" are the prices set forth above less 5%.

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TABLE 6—SALES AT RETAIL OF CIRCULAR-KNIT HOSIERY (PRICES ARE EXPRESSED IN DOLLARS PER PAIR. ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE PRICES LISTED HEREIN, LESS 25 PERCENT)

(i) Retail prices for hosiery purchased by the retail seller from a manufacturer—(a) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament (plain knit):								
1. 220-240 needle count.....	\$0.28	\$0.25	\$0.24	\$0.21	\$0.18	\$0.17	\$0.14	\$0.12
2. 260 needle count.....	.30	.26	.26	.22	.20	.17	.15	.13
3. 280 needle count.....	.32	.27	.27	.23	.21	.18	.16	.13
4. 300 needle count.....	.37	.31	.31	.26	.24	.21	.18	.15
5. 320 needle count.....	.39	.32	.33	.27	.26	.21	.19	.16
6. 340 needle count.....	.47	.37	.40	.31	.31	.25	.23	.18
7. 360 needle count and higher.....	.57	.47	.48	.40	.37	.31	.28	.23

(b) Special constructions

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
B. Premium constructions (leg made of blended rayon, spun rayon or combination yarn with premium welt):				
1. 220-240 needle count.....	\$0.36	\$0.31	\$0.25	\$0.18
2. 260 needle count.....	.38	.33	.26	.19
3. 280 needle count.....	.40	.34	.27	.20
4. 300 needle count.....	.43	.37	.29	.22
5. 320 needle count and higher.....	.45	.38	.30	.22
C. Mesh constructions:				
1. 220-240 needle count:				
1-end.....	.34	.29	.23	.17
2-end.....	.41	.33	.27	.20
2. 260-280 needle count:				
1-end.....	.37	.31	.25	.18
2-end.....	.43	.37	.29	.22
3. 300-320 needle count and higher:				
1-end.....	.43	.37	.29	.22
2-end.....	.50	.42	.33	.25
D. Maximum price differentials for specific constructions (to be added to prices per pair set forth for regular and mesh construction):				
1. Premium welts (welts made of cotton, blended rayon, spun rayon, or combination yarn).....	.05	.04	.03	.02
2. Outsizes.....	.04	.03	.03	.02
3. Plied yarn in leg.....	.07	.06	.05	.04

NOTE: The prices in this table are applicable to all sales of hosiery which the seller at retail bought (a) from a manufacturer, as defined in this regulation or (b) in any sale to which manufacturer's ceiling prices were applicable.

(ii) Retail prices for hosiery purchased by the retail seller from a wholesaler—(a) Regular constructions

Construction	First quality		Sub-standard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament (plain knit):								
1. 220-240 needle count.....	\$0.32	\$0.28	\$0.27	\$0.24	\$0.21	\$0.19	\$0.16	\$0.14
2. 260 needle count.....	.35	.30	.30	.25	.23	.20	.18	.15
3. 280 needle count.....	.37	.31	.31	.26	.24	.21	.18	.15
4. 300 needle count.....	.42	.35	.35	.30	.28	.23	.21	.18
5. 320 needle count.....	.44	.37	.37	.31	.29	.24	.22	.18
6. 340 needle count.....	.53	.43	.45	.36	.35	.28	.27	.21
7. 360 needle count and higher.....	.64	.53	.54	.45	.43	.35	.32	.26

(b) Special constructions

Construction	First quality	Irregulars	Seconds	Thirds
B. Premium constructions (leg made of blended rayon, spun rayon or combination yarn with premium welt):				
1. 220-240 needle count.....	\$0.42	\$0.36	\$0.28	\$0.21
2. 260 needle count.....	.44	.37	.29	.22
3. 280 needle count.....	.45	.38	.30	.23
4. 300 needle count.....	.50	.42	.33	.25
5. 320 needle count and higher.....	.51	.43	.34	.25

TABLE 6—SALES AT RETAIL OF CIRCULAR KNIT HOSIERY (PRICES ARE EXPRESSED IN DOLLARS PER PAIR. ALL PRICES FOR GRADE "B" HOSIERY EXPIRE JULY 15, 1943; THEREAFTER MAXIMUM PRICES FOR GRADE "B" HOSIERY ARE PRICES LISTED HEREIN, LESS 25 PERCENT)—continued

(b) Special constructions—Continued

Construction	First quality	Sub-standard quality		
		Irregulars	Seconds	Thirds
C. Mesh constructions:				
1. 220-240 needle count:				
1-end	\$0.39	\$0.33	\$0.26	\$0.19
2-end	.46	.39	.30	.23
2. 260-280 needle count:				
1-end	.43	.36	.28	.21
2-end	.50	.42	.33	.25
3. 300-320 needle count and higher:				
1-end	.50	.42	.33	.25
2-end	.57	.48	.38	.28
D. Maximum price differentials for specific constructions (to be added to prices per pair set forth for regular and mesh constructions):				
1. Premium welts (welts made of cotton, blended rayon, spun rayon or combination yarn)				
	.06	.05	.04	.03
2. Outsizes				
	.04	.04	.03	.02
3. Piled yarn in leg				
	.09	.07	.06	.04

This regulation shall become effective April 15, 1943.

Issued this 8th day of March 1943.

PRETISS M. BROWN,
Administrator.

[F. R. Doc. 43-3644; Filed, March 8, 1943; 12:25 p. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[Ration Order 9, Amendment 4]

HEATING STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1432.19 (d) is amended; the headnote to and the text of § 1432.20 are amended; a new § 1432.53 is added; as set forth below:

SUBPART B—PROVISIONS AFFECTING CONSUMERS AND BOARDS

§ 1432.19 Issuance of certificate.

(d) The certificate may be issued either on Form OPA R-905 or on Form OPA R-403 (certificate for purchase of typewriters). If Form OPA R-403 is used, it must be properly prepared and corrected. Part B of the certificate should be given to the applicant as his authority to buy the stove; Part A should be mailed or sent to the appropriate State office of the Office of Price Administration; and Part C should be kept by the board and filed as its record.

§ 1432.20 Preparation of certificate; use of forms. A person who needs a new coal heating stove or an oil heating stove must obtain from the board a certificate on either Form OPA R-905 or Form OPA R-403. If the latter form is used, the board will have to cross out certain portions which do not apply. Following is a detailed explanation of how the certificate (Form OPA R-403) should be prepared and corrected for issuance as a heating stove certificate:

*Copies may be obtained from the Office of Price Administration.
17 F.R. 10720; 8 F.R. 1318, 2433.

SUBPART E—MISCELLANEOUS PROVISIONS

§ 1432.53 Transfer of damaged, lost or stolen stoves. (a) New heating stoves that have been damaged but which are still usable as heating stoves and undamaged new heating stoves mingled therewith, new heating stoves that have been stolen and new heating stoves in imminent danger of being damaged or stolen may be acquired without the surrender of certificates, for the purpose of transfer only, by:

- (1) Persons lawfully engaged in the insurance business, common or contract carriers and warehousemen in connection with the right of subrogation or by virtue of the payment by them of a claim for damage to or loss of the stoves; and
- (2) Persons performing public fire or safety functions, or persons engaged primarily in the business of adjusting losses and selling or reconditioning and selling damaged commodities, who take possession of or receive them on the occurrence or imminence of casualties.

(b) A transfer of new heating stoves by any person included in paragraph (a) of this section may be made without the surrender of a certificate to another person so included, or to the owner, or to the person from whose lawful custody the stove was taken, or a dealer, wholesaler or manufacturer, but not for his use.

This amendment shall become effective on March 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-S, 7 F.R. 10668; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of March 1943.

PRETISS M. BROWN,
Administrator.

[F. R. Doc. 43-3645; Filed, March 8, 1943; 12:24 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 31 Under Supp. Reg. 15 to GMPR]

VANCE ANDREWS

Order No. 31 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation—Docket No. GF3-2949.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1331 Adjustment of maximum prices for contract carrier service by Vance Andrews. (a) Vance Andrews, of East Liverpool, Ohio, hereinafter referred to as applicant, may sell and deliver motor contract carrier services at the following rates:

For produce, perishables, and bread

From Pittsburgh to—	
Sewickley, Pa.....	15.39
Ambridge, Pa.....	17.67
Rochester, Pa.....	21.09
Beaver, Pa.....	22.23
Monaca, Pa.....	22.23
Beaver Falls, Pa.....	23.37
Midland, Pa.....	26.22
Chester, W. Va.....	27.36
East Liverpool, Ohio.....	28.50

For heavy groceries

From Pittsburgh to—	
East Liverpool, Ohio.....	19.38
Chester, W. Va.....	24.51
Wellsville, Ohio.....	24.51
Toronto, Ohio.....	26.79
Midland, Pa.....	24.51

1 All rates in cents per hundred pounds.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 31 (§ 1499.1331) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 31 (§ 1499.1331) may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 31 (§ 1499.1331) shall become effective March 9, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRETISS M. BROWN,
Administrator.

[F. R. Doc. 43-3646; Filed, March 8, 1943; 12:24 p. m.]

PART 1300—PROCEDURE

[Procedural Regulation 9, Amendment 5]
UNIFORM APPEAL PROCEDURE UNDER RATION ORDERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Procedural Regulation No. 9 is amended in the following respect:

1. Section 1300.611 (e) is amended to read as follows:

(e) Region V: Arkansas: Little Rock; Kansas: Wichita; Louisiana: Baton

17 F.R. 8796; 8 F.R. 856, 1838, 2030, 2595.

Rouge, New Orleans, Shreveport; Missouri: St. Louis, Kansas City; Oklahoma: Oklahoma City, Tulsa; Texas: Dallas, Fort Worth, Lubbock, Houston, San Antonio.

This amendment shall become effective March 10, 1943.

(Pub. Law 507, 77th cong. WPB directive No. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3665; Filed, March 8, 1943;
3:33 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,¹ Amendment 45]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1394.5051 (b), the phrase "1394-5310" is inserted between the phrase "1394.5266 (b) (3)" and the phrase "1394.5604"; and a new § 1394.5310 is added; as set forth below:

Auxiliary Rations

§ 1394.5310 *Special cases: Supplemental rations for heating premises used for residential purposes.* (a) A person to whom a ration has been issued for heat or both heat and hot water in premises used for residential purposes, other than a house trailer, who finds that his fuel oil on hand and coupons the valid period of which has not expired are insufficient to meet his minimum heating or heating and hot water requirements for the balance of the heating year, may apply to his board for a supplemental heating or heating and hot water ration. The applicant shall present to the board a signed statement setting forth:

(1) The amount of fuel oil on hand and the number, kind and gallonage value of his coupons the valid period of which has not expired;

(2) The efforts he has made to secure maximum heating efficiency of his oil burning equipment and to eliminate loss of heat due to the condition of the premises;

(3) The efforts he has made to reduce his consumption of fuel oil, including without limitation, the maintenance of minimum temperatures and to use coal or wood burning heating stoves;

(4) The reasons why he has not converted his oil burning facilities to the use of coal; and

(5) The number of gallons of fuel oil estimated by the applicant to meet his minimum heating or heating and hot

water requirements for the balance of the heating year.

(b) The applicant shall supply such additional information concerning the premises, the heating equipment therein and the matters set forth in subparagraphs (1) to (5) of paragraph (a) of this section as the board may deem necessary for its recommendation, including the submission by the applicant for the inspection of the board of his coupon sheets, representing his ration.

(c) No application for a supplemental ration shall be granted unless the board is satisfied that:

(1) The applicant's fuel oil on hand and coupons the valid period of which has not expired are insufficient to meet the applicant's minimum heating or heating and hot water requirements (as the case may be) for the balance of the heating year;

(2) The applicant has taken all reasonable measures within the limits of his financial ability to secure maximum heating efficiency of the oil burning equipment and to eliminate loss of heat due to the condition of the premises;

(3) The applicant has taken all reasonable measures within the limits of his financial ability to reduce his consumption of fuel oil;

(4) The oil burning facilities for use in which the ration is required are not convertible facilities as defined in § 1394-5001 (a) (9), except that where the application is made for private dwelling premises the supplemental ration shall not be denied because the applicant's oil burning facilities are convertible if no member of his household is physically able to operate heating equipment using an alternate fuel or he cannot obtain the services of any other person to operate such equipment; and

(5) Where application is made for private dwelling premises, the applicant's total floor area constituting necessary living and sleeping quarters and space used for occupational purposes, set forth in his original application, did not exceed the maximum allowable area specified in § 1394.5258 (b).

(d) If the board is satisfied that the applicant meets the requirements of paragraph (c) of this section, it will promptly prepare, in duplicate, its written findings and recommendation of the number of gallons of fuel oil which the applicant will require, in addition to his fuel oil on hand and coupons the valid period of which has not expired, to meet his minimum heating or heating and hot water needs for the balance of the heating year. The board will forward to the district or State office having jurisdiction of the area in which the board is located, a copy of its findings and recommendation together with the applicant's statement, original application, and all other documents upon which its findings and recommendation are based. Within five (5) days from the receipt thereof, such district or State office will review the record submitted by the board and make its decision in writing, adopting, modifying or setting aside the recommendation made by the board. Such decision together with the record submitted will be transmitted to the

board which will promptly dispose of the application in accordance with such decision and notify the applicant thereof.

This amendment shall become effective on March 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3666; Filed, March 8, 1943;
3:30 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,¹ Amendment 46]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1394.5266 (a) the phrase "in accordance with §§ 1394.5256 or 1394.5261" is amended to read "in accordance with §§ 1394.5256, 1394.5261 or 1394.5270"; new §§ 1394.5553 and 1394.5554 are added; as set forth below:

Renewal of Rations and Issuance of Further Rations

§ 1394.5553 *Changed circumstances, heat and hot water in private dwelling premises; space heaters in other residential premises.* (a) The person to whom a ration has been issued for furnishing heat or hot water, or both, to private dwelling premises other than a house trailer may during the period of validity thereof apply for a substitute ration for such purpose if, subsequent to the date of the original application:

(1) One or more children less than four (4) years of age have occupied and continue regularly to occupy the premises and the applicant's allowable ration was not increased pursuant to § 1394.5256 (b); or

(2) The floor area regularly used for necessary living and sleeping quarters and occupational purposes has because of the addition of one or more persons regularly occupying the premises, increased over, and continues to exceed, that set forth in the original application; or

(3) In the case of an application for hot water only, the number of persons (other than those mentioned in subparagraph (1) of this paragraph) regularly occupying the premises has increased over and continues to exceed that set forth in the original application.

(b) Application shall be made on Form OPA R-1100 or Form OPA R-1100 (Revised). The applicant shall, with his application, tender for cancellation the

¹ 7 F.R. 8480, 8708, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 698, 977, 1203, 1235, 1282, 1681, 1636, 1859, 2194, 2431, 2598.

* Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 8480, 8708, 8897, 9316, 9396, 9492, 9427, 9430, 9521, 9784, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 698, 977, 1203, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598.

coupon sheets representing his current ration. The board shall pass upon the application in the same manner as an original application made under § 1394.5266 except that if the application is made for domestic hot water only, the allowable ration shall be determined pursuant to § 1394.5259.

(c) Upon issuance of the substitute ration, the board shall cancel the coupon sheets representing his current ration, and shall detach from the coupon sheets representing the substitute ration coupons equal in gallonage value to that of any coupons used by the applicant between the date of application (under this section) and the date of surrender of the current ration.

(d) The person to whom a ration has been issued for use in a space heater in residential premises other than a private dwelling may, during the period of validity of such ration, apply for a substitute ration if, subsequent to the date of the original application, one or more children less than four (4) years of age have occupied and continue to occupy the premises heated by such space heater and the applicant's allowable ration was not increased pursuant to § 1394.5256 (b). Application shall be made on Form OPA R-1100 or Form OPA R-1100 (Revised). The applicant shall with his application tender for cancellation the coupon sheets representing his current ration. The board shall pass upon the application in the same manner as an original application under §§ 1394.5266 or 1394.5267, as the case may be. The substitute ration shall be issued in the manner provided in paragraph (c) of this section.

§ 1394.5554 *Same: heat and hot water in premises not used for residential purposes.* (a) The person to whom a ration has been issued for furnishing heat or hot water, or both, to premises not used for residential purposes may apply for a substitute ration for such purpose if, due to a change in circumstances or miscalculation of needs, the current ration for such purpose fails to meet the applicant's minimum requirements for heat or hot water, or both. Application shall be made on Form OPA R-1101 or Form OPA R-1101 (Revised). The applicant shall with his application tender for cancellation the coupon sheets or delivery receipts representing his current ration. The board shall pass upon the application in the same manner as an original application made under §§ 1394.5266 or 1394.5267 as the case may be. The substitute ration shall be issued in the manner provided in paragraph (c) of § 1394.5553.

(b) No application for a substitute ration for such purpose shall be granted unless the board is satisfied that:

(1) The applicant has taken all reasonable measures within the limits of his financial ability to secure maximum heating efficiency of the oil burning equipment and to eliminate loss of heat due to the condition of the premises;

(2) The applicant has taken all reasonable measures within the limits of his financial ability to reduce his consumption of fuel oil; and

(3) The oil burning facilities for use in which the ration is required are not convertible facilities as defined in § 1394.5001 (a) (9).

This amendment shall become effective on March 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3667; Filed, March 8, 1943;
3:30 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[Ration Order 17,¹ Amendment 3]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 1.14 (c) is added to read as follows:

(c) Any branch of the armed services of the United Nations may get certificates from any District Office to acquire the shoes it needs for members of its armed services within the United States and may furnish or sell shoes to any member of the armed services of the United Nations without collecting ration currency.

2. Section 2.19 is added to read as follows:

SEC. 2.19 *Shoes may be acquired for testing.* Any person who requires shoes for testing may apply to the Office of Price Administration, Washington, D. C., for the number of pairs of shoes needed. In a proper case, certificates or special shoe stamps may be issued to acquire shoes for this purpose, upon such conditions as the Office of Price Administration may prescribe.

This amendment shall become effective March 13, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive 1, 7 F.R. 562, Supplementary Directive 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3668; Filed, March 8, 1943;
3:30 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 13,² Amendment 4]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and

* Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 1749, 2040, 2487.

² 8 F.R. 1840, 2288, 2677, 2681, 2684.

has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respects:

1. Section 14.6 is revoked.
2. Section 19.1 (m) is added, to read as follows:

(m) Beans, lentils, or peas acquired point-free for use as seed shall not be used by any person as food.

3. The following items are added to the list in Appendix A:

Beans, lentils, or peas held for sale or transfer exclusively as seed for sowing or planting (and not for human consumption) and marked or labeled in accordance with any applicable federal or state seed laws, or, if none is applicable, in accordance with the standards stated in the federal seed law.

Beans, lentils, or peas which contain not more than 10% sound beans, lentils, or peas; and beans, lentils, or peas infested with insects or otherwise unfit for human consumption.

This amendment shall become effective March 8, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 552; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3669; Filed, March 8, 1943;
3:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 319 Under § 1499.3 (b) of GMPR]

WHITE BROS. SMELTING CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1755 *Maximum price at which White Bros. Smelting Corporation may sell and deliver copper-nickel ingots.* (a) The maximum price at which White Bros. Smelting Corporation of Philadelphia, Pennsylvania may sell and deliver copper-nickel ingots to any person shall be 29.00 cents per pound f. o. b. Bridgeport, Connecticut or Boston, Massachusetts.

(b) When used in this order, the term "copper-nickel ingots" shall mean ingots of the analysis reported by the White Bros. Smelting Corporation in its letter of January 11, 1943, addressed to the Office of Price Administration.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective as of January 4, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3671; Filed, March 8, 1943;
3:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 320 Under § 1499.3 (b) of GMPR]

GOODYEAR TIRE AND RUBBER COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1756 *Adjustment of maximum prices for sales of Pliocote by the Goodyear Tire and Rubber Company, Akron, Ohio.* (a) The maximum prices for the sales by the Goodyear Tire and Rubber Company, Akron, Ohio, of Pliocote are established as set forth below:

	500 pounds and over, per pound	100 pounds-500 pounds, per pound	Less than 100 pounds, per pound
15 pounds costing per ream of foil.....	\$0.36	\$0.40	\$0.44

(b) *Discounts, allowances, and price differentials.* The Goodyear Tire and Rubber Company, Akron, Ohio, shall apply to the maximum prices set forth in paragraph (a) of this paragraph for its sales of Pliocote, all quantity differentials, discounts for purchasers of different classes, trade practices, cash discounts, credit terms, practices relating to payment of transportation costs and any other customary allowances which were in effect in March, 1942 on sales of Pliofilm by the Goodyear Tire & Rubber Company of Akron, Ohio.

(c) *Definitions.* When used in this order, the term:

(1) "Pliocote" means a coated paper foil for packaging dehydrated foods, machine guns, machine parts for military use and for similar purposes, which is manufactured by the Goodyear Tire & Rubber Company of Akron, Ohio.

(2) "Pliofilm" is a product manufactured by the Goodyear Tire & Rubber Company, Akron, Ohio, used largely for packaging food products and in the manufacture of rain coats, etc.

(d) The Goodyear Tire & Rubber Company shall submit to the Office of Price Administration in Washington, D. C., such reports as may from time to time be required.

(e) This Order No. 320 may be revoked or amended by the Price Administrator at any time.

This Order No. 320 (§ 1499.1756) shall become effective March 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3662; Filed, March 8, 1943; 3:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 321 Under § 1499.3 (b) of GMPR]

FROSTED FOODS SALES CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1757 *Authorization of maximum prices for sales of "Birds Eye"*

Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King, by authorized wholesale distributors and by retailers. (a) On and after March 9, 1943, the maximum prices for sales by Frosted Foods Sales Corporation, having its principal place of business at 250 Park Avenue, New York City, of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King, shall be:

\$3.28 per dozen 16 ounce packages of Corned Beef Hash.

\$6.45 per dozen 11 ounce packages of Chicken a la King.

delivered to purchasers' stations.

(b) Authorized wholesale distributors shall determine their maximum delivered selling prices of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King by adding to their net cost of this item a maximum markup of 33 percent of their net cost. The maximum delivered price so determined shall not exceed \$4.36 per dozen 16 ounce packages of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and \$8.58 per dozen 11 ounce packages of "Birds Eye" Brand Quick-Frozen Chicken a la King. Where a maximum price per dozen determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per dozen shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the distributor is permitted to increase his maximum price per dozen to the next higher cent.

Net cost for an authorized wholesale distributor as mentioned in this paragraph shall be his invoice price of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King delivered in a customary quantity of this type of item by the customary mode of transportation to his customary receiving point, less all discounts allowed him except discount for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(c) Sellers at retail shall determine their maximum selling prices of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King by adding to their net cost of this item a maximum markup of 36 percent of their net cost. The maximum prices so determined shall not exceed 49¢ per 16 ounce package of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and 97¢ per 11 ounce package of "Birds Eye" Brand Quick-Frozen Chicken a la King. Where a maximum price per package determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per package shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer is permitted to increase his maximum price per package to the next higher cent.

Net cost for a retailer as mentioned in this paragraph shall be his invoice price for "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King

delivered to his customary receiving point in a customary quantity of this type of item by a customary mode of transportation and from a customary source of supply, less all discounts allowed him except the discount for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(d) No seller, except a seller at retail, shall change his customary discounts, cold storage allowances or other allowances applying to sales of other quick-frozen food items in making sales of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King unless such change in these customary discounts, cold storage allowances and other allowances results in lower selling prices.

(e) On and after March 9, 1943, Frosted Foods Sales Corporation shall supply a written notification to each authorized wholesale distributor before or at the time of the first delivery of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King to a distributor, and for a period of three months thereafter shall include with each shipping unit of "Birds Eye" Brand Quick-Frozen Corned Beef Hash and "Birds Eye" Brand Quick-Frozen Chicken a la King, a written notification to retailers. If such retailer notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notifications, for each type of purchaser, shall include the following appropriate statements:

Notification from Frosted Foods Sales Corporation to Authorized Wholesale Distributors

The OPA has authorized us to charge wholesalers the following prices for "Birds Eye" Brand Quick-Frozen Corned Beef Hash and Chicken a la King:

\$3.28 per dozen 16 ounce packages of Corned Beef Hash

\$6.45 per dozen 11 ounce packages of Chicken a la King.

subject to all customary discounts, cold storage allowances and other allowances. Wholesalers are authorized to establish a ceiling price by adding to the net cost of these items 33 percent of such net cost, provided that the ceiling prices so determined shall not exceed \$4.36 per dozen of 16 ounce packages of Corned Beef Hash and \$8.58 per dozen of 11 ounce packages of Chicken a la King. Net cost is invoice cost at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Retailers shall establish ceiling prices by adding to their net cost 36 percent of their net cost. Each individual ceiling price determined by any seller shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). A copy of a notification to retailers is included in every shipping unit of these items. If the initial sale of these items to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification From Frosted Foods Sales Corporation to Retailers

The OPA authorizes retailers to establish ceiling prices for "Birds Eye" Brand Quick-Frozen Corned Beef Hash in 16 ounce packages and "Birds Eye" Brand Quick-Frozen Chicken a la King in 11 ounce packages by

adding to the net cost of these items 36 percent of their net cost, provided that the ceiling prices so determined shall not exceed 49¢ per 16 ounce package of Corned Beef Hash and 97¢ per 11 ounce package of Chicken a la King. Net cost is the invoice cost at the customary receiving point less all discounts, other than for prompt payment, and excluding charges for local hauling. Such ceiling prices shall be figured to the nearest cent (raise one-half cent fractions to the next even cent). OPA requires that you keep this notice for examination.

(f) This Order No. 321 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 321 (§ 1499.1757) shall become effective as of March 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3663; Filed, March 8, 1943;
3:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 210 Under § 1499.18 (b) of GMPR]

BRESSLER BROTHERS, INC.

Order No. 210 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GFI-439-P.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1810 *Adjustment of maximum prices for women's uniforms manufactured by Bressler Brothers, Inc., of Atlanta, Georgia.* (a) Bressler Brothers, Inc., of Atlanta, Georgia, may sell and deliver, and any person may buy and receive from Bressler Brothers, Inc., for sale at retail, the garments set forth in paragraph (b) below at prices no higher than those set forth therein.

(b) The maximum price provided by this order for women's uniforms which are the same as, or similar to, those delivered by the Protestant in March 1942, under the lot numbers 2002, 2080, 3040, 3070, and 3080 is \$13.50 per dozen.

(c) The permission granted to Bressler Brothers, Inc., is subject to the following conditions:

(1) All discounts and trade practices, including all practices relating to shipping and shipping charges in effect during March 1942, are applicable to the maximum price set forth in paragraph (b).

(2) Bressler Brothers, Inc., shall mail or cause to be mailed to every person who buys any of the women's uniforms referred to in paragraph (b) a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum price for sales to you of women's uniforms, styles 2002, 2080, 3040, 3070 and 3080, from \$12.00 to \$13.50. This amount represents only that part of cost increases which we were unable to absorb, and it was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sale of these women's uniforms.

(d) This Order No. 210 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 210 (§ 1499.1810) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by section 1499.2 of the General Maximum Price Regulation.

This Order No. 210 (§ 1499.1810) shall become effective March 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3664; Filed, March 8, 1943;
3:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 55 Under § 1499.18 (c) of GMPR]

ALLER & SHARP, INC.

Amendment No. 1 to Order No. 55 under § 1499.18 (c) of the General Maximum Price Regulation—Docket No. GF3-1394.

An opinion accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (a) of § 1499.905 is amended and a new paragraph (f) is added to read as set forth below:

§ 1499.905 *Adjustment of maximum prices for Contract Carrier Services Sold by Aller & Sharp, Inc.* (a) Aller & Sharp, Inc., of 817 West Fifth Street, Columbus, Ohio, may sell and deliver, and any person may buy and receive from Aller & Sharp, Inc., contract carrier services in connection with shipments of packing house products and supplies requiring refrigeration between the points named in the applicant's Supplement No. 14 to MF-I. C. C. No. 24 attached to and made a part of its application, at rates not to exceed those set forth therein.

(f) This Amendment No. 1 to Order No. 55 (§ 1499.905) shall become effective as of September 30, 1942.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3675; Filed, March 8, 1943;
4:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 32 Under Supp. Reg. 15 of GMPR]

REEFER TRANSIT LINES, INC.

Order No. 32 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation—Docket No. GF3-941.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1332 *Adjustment of maximum prices for contract carrier services sold by the Reefer Transit Lines, Inc.* (a)

The Reefer Transit Lines, Inc., 4000 Packers Avenue, Chicago, Illinois, may sell and deliver contract carrier services between the points named and in connection with the commodities listed in Exhibit 3 attached to and part of its original application, at the rates set forth therein.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 32 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 32 (§ 1499.1332) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 32 (§ 1499.1332) shall become effective March 9, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3670; Filed, March 8, 1943;
3:32 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

ORDER PRESCRIBING FORM FOR PERSONS FURNISHING CARS OR PROTECTIVE SERVICE

At a Session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 12th day of February, A. D. 1943.

In the matter of annual reports from persons furnishing cars or protective service to or on behalf of carriers by railroad or express companies, and the corresponding section of the Code of Federal Regulations, the following order was issued:

§ 120.70a *Form prescribed for persons furnishing cars or protective service.* (a) All persons furnishing cars or protective service to or on behalf of carriers by railroad or express companies within the scope of section 20 of Part I of the Interstate Commerce Act and owning 100 but less than 1,000 cars, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form B-2, which is hereby approved and made a part of this order.¹

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates. (Sec. 13, 54 Stat. 917; 49 U.S.C. 20 (6)).

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-3686; Filed, March 9, 1943;
11:30 a. m.]

¹ Form filed as part of the original document.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-356]

BLACK DIAMOND COAL MINING CO.

ORDER POSTPONING HEARING

In the matter of W. W. Bridges, Receiver, Black Diamond Coal Mining Company, Code Member.

The above-entitled matter having been heretofore scheduled for hearing on March 12, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Circuit Court Room, Madisonville, Kentucky, pursuant to order issued in the above-entitled matter on February 26, 1943; and

The code member by its attorney having filed a request on March 5, 1943, that the time for filing an application under § 301.132 of the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division be extended to and including March 10, 1943, and that the hearing presently scheduled for March 12, 1943, be indefinitely postponed; and

The Director deeming it advisable that said request be granted;

Now, therefore, it is ordered, That the code member's time to file an application pursuant to § 301.132 of the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division be, and the same hereby is, extended to and including March 10, 1943; and

It is further ordered, That the said hearing in the above-entitled matter be, and the same hereby is, postponed from March 12, 1943 at 10 a. m. to a time and place to be hereafter designated by an appropriate order.

Dated: March 8, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3691; Filed, March 9, 1943;
11:41 a. m.]

[Docket No. B-357]

HUDSON COAL COMPANY

AMENDMENT TO NOTICE OF AND ORDER FOR HEARING

On February 22, 1943, a Notice of and Order for Hearing was entered in the above-entitled matter scheduling it for hearing at Salt Lake City, Utah, on March 29, 1943.

Said Notice of and Order for Hearing is hereby amended by striking therefrom subparagraph II A. 1. on the first page and inserting in lieu thereof the following:

1. Sales to various purchasers during the period March 31, 1941, to January 15, 1942, inclusive, of approximately 3,639.89 net tons of 3½" x 0 slack coal at prices ranging from \$2.15 per net ton to \$2.30 per net ton f. o. b. the mine, whereas such coal, pursuant to Price Instruction No. 5 of said Schedule, should have been sold at not less than \$2.40 per net ton f. o. b. said mine;

Said Notice of and Order for Hearing is hereby further amended by inserting immediately following subparagraph II A. 6 on the second page thereof the following:

7. Sales to Consolidated Coal Company, Ogden, Utah, during the period April 30, 1941, to January 5, 1942, inclusive, of approximately

(a) 43.90 net tons of 3½" x 10" stove coal invoiced at \$3.65 per net ton f. o. b. said mine, whereas said coal, pursuant to Price Instruction No. 5 of said Schedule, should have been sold at not less than \$4.20 per net ton f. o. b. said mine;

(b) 235.45 net tons of 3½" x 8" stove coal invoiced at \$3.50 per net ton f. o. b. said mine, whereas said coal, pursuant to Price Instruction No. 5 of said Schedule, should have been sold at not less than \$3.65 per net ton f. o. b. said mine;

(c) 132.95 net tons of 1½" x 3½" oiled nut coal invoiced at \$2.75 per net ton f. o. b. said mine, whereas said coal, pursuant to Price Instruction No. 5 and No. 8 of said Schedule, should have been sold at not less than \$3.00 per net ton f. o. b. said mine;

(d) 40.20 net tons of 1½" x 3½" nut coal invoiced at \$2.65 per net ton f. o. b. said mine, whereas said coal, pursuant to Price Instruction No. 5 of said Schedule, should have been sold at not less than \$2.90 per net ton f. o. b. said mine;

(e) 99.15 net tons of 3½" lump coal invoiced at \$3.65 per net ton f. o. b. the mine, whereas said coal, pursuant to Price Instruction No. 5 of said Schedule, should have been sold at not less than \$3.80 per net ton f. o. b. said mine.

Except as herein amended said Notice of and Order for Hearing, dated February 22, 1943 remains in full force and effect.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3692; Filed, March 9, 1943;
11:41 a. m.]

[Docket No. A-1884]

DISTRICT BOARD 22

ORDER GRANTING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 22 for revision of the price classifications and minimum prices for coals produced from certain mines in Subdistricts 1 and 7 in District No. 22 and sold for railroad fuel use.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with the Division by the above-named party, requesting that the effective price classifications and minimum prices, for "Railroad Locomotive Fuel" for the coals of the Klein No. 2 Mine, Mine Index No. 8, of the Republic Coal Company, and the Giffen Mine, Mine Index No. 6 of the Great Northern Railway Company in Subdistricts 1 and 7, respectively, in District No. 22 be made applicable to the coals of such mines when sold to railroads for all uses; and

It appearing that no final determination should be made at this time with

respect to the establishment of permanent price classifications and minimum prices for the coal of the aforesaid mines as requested; and

It further appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; that no petitions of intervention having been filed with the Division in the above-entitled matter; and that the following action is necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter temporary relief be, and the same hereby is, granted as follows: Commencing forthwith the price classifications and minimum prices presently set forth in the Schedule of Effective Minimum Prices for District No. 22 for All Shipments for the coals produced from the Klein No. 2 Mine (Mine Index No. 8) of the Republic Coal Company and the Giffen Mine (Mine Index No. 6) of the Great Northern Railway Company for railroad locomotive fuel use shall apply to the coals of such mines when sold to railroads for all uses.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on March 24, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division at Post Office Bldg., Denver, Colorado.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 20, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of inter-

vention, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 22 requesting that the price classifications and minimum prices presently set forth in the Schedule of Effective Minimum Prices for District No. 22 for All Shipments for the coals produced from the Klein No. 2 Mine (Mine Index No. 8) of the Republic Coal Company and the Giffen Mine (Mine Index No. 6) of the Great Northern Railway Company for Railroad Locomotive Fuel use be made applicable to the coals of such mines when sold to railroads for use other than locomotive fuel use.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3693; Filed, March 9, 1943;
11:41 a. m.]

[Docket No. A-1864]

DISTRICT BOARD 2

ORDER GRANTING TEMPORARY RELIEF AND
NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of the Donze Mine of the Elders Ridge Coal Company in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment of price classifications and minimum prices for the coals produced by Elders Ridge Coal Company, at the Donze Mine, Mine Index No. 2632, located in Subdistrict 1 of District No. 1 in Kittanning, Armstrong County, Pennsylvania, for shipment via the Allegheny River and Pennsylvania Railroad; and

A petition of intervention having been filed herein by District Board No. 1 in which it is alleged as follows: That several code members located in District No. 1 ship coal via the Pennsylvania Railroad at or near Kittanning, Armstrong County, Pennsylvania; that several mines operated by code members in District No. 1 are located in that portion of Armstrong County lying west of the Allegheny River and that no boundary between Districts Nos. 1 and 2 has been established by the Division with respect to coals loaded into boats for shipment via the Allegheny River; and

It appearing that the original petition and the petition of intervention filed herein raise issues upon which the interested parties herein should be given an opportunity to be heard; and

It further appearing, however, that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, pending further order of the Division;

Now, therefore, it is ordered, That pending further order in the above-en-

titled matter temporary relief be, and the same hereby is, granted as follows:

Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 2, For All Shipments Except Truck and for Truck Shipments are supplemented to include the price classifications and minimum prices set forth in the schedules marked Supplement "R" and Supplement "T", which are annexed hereto and made a part hereof.¹

It is further ordered, That a hearing in the above-entitled matter, under the applicable provisions of said Act and the rules of the Division be held on April 6, 1943 at 10 o'clock in the forenoon of that day, in Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 1, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the original petition filed by District Board No. 2, requesting the establishment of price classifications and minimum prices for the coals produced by Elders Ridge Coal Company, at the Donze Mine, Mine Index No. 2632, for shipment via rail and river, and the petition of intervention filed herein by District Board No. 1 in which it is alleged, among other things, that the Division has not established the boundary be-

¹ Document not filed with the Division of the Federal Register.

tween Districts Nos. 1 and 2 with respect to coal loaded into boats for shipment via the Allegheny River.

Dated: March 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3694; Filed, March 9, 1943;
11:41 a. m.]

[Docket Nos. A-1836 and A-1836, Part II]

DISTRICT BOARD 4

MEMORANDUM OPINION, ETC.

In the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 4; for changes in shipping points of certain mines; and requesting the establishment of an additional price instruction in the schedule of effective minimum prices for District No. 4 for all shipments except truck.

In the matter of the petition of District Board No. 4 for the establishment of an additional price instruction in the schedule of effective minimum prices for District No. 4 for all shipments except truck.

Memorandum opinion and order granting intervenor's requests, partially denying temporary relief, severing Docket No. A-1836 Part II, and notice of and order for hearing.

The original petition in the above-entitled matter which was filed with this Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requested the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 4, and further requested the establishment of an additional price instruction in the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck, which would permit all coal going through any one of several preparation plants listed in said petition to be invoiced as having originated at said preparation plant irrespective of whether such coals were produced at the mine of which such preparation plant is not a part.

A petition of intervention has been filed by District Board No. 2, requesting (1) that the portion of Docket No. A-1836 relating to the price instruction set forth in paragraph numbered 10 in the original petition filed herein, be severed from the remainder of Docket No. A-1836, and designated as Docket No. A-1836, Part II; (2) that a hearing be held in said Docket No. A-1836, Part II, and (3) that the prayer for temporary relief contained in said original petition be denied, without prejudice to the renewal of such request for temporary relief, upon further showing or upon the basis of the record to be made at the hearing to be held in Docket No. A-1836, Part II.

It appears that this petition of intervention and the allegations contained in that portion of the original petition involved herein, raise issues upon which the interested parties in this matter should be heard. It also appears that

a reasonable showing of necessity for temporary relief, pending final determination of this matter, has not been shown at this time. In view of these facts, the Director is of the opinion that the requests contained in said petition of intervention should be granted; that the request contained in the original petition for temporary relief should not be granted at this time, and that the portion of the original petition which relates to the request for the establishment of an additional price instruction, should be scheduled for hearing.

Therefore, it is ordered, That said petition of intervention be, and the same hereby is, granted.

It is further ordered, That the request for temporary relief contained in said original petition be, and the same hereby is, denied without prejudice, however, to the renewal of such request for temporary relief, upon further showing or upon the basis of the record to be held in Docket No. A-1836, Part II.

It is further ordered, That the portion of the original petition filed in Docket No. A-1836, relating to the establishment of an additional price instruction in the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck be, and the same hereby is, severed from Docket No. A-1836 and designated as Docket No. A-1836, Part II.

It is further ordered, That a hearing in Docket No. A-1836, Part II, under the applicable provisions of said Act and the rules of the Division, be held on March 31, 1943, at 10 o'clock in the forenoon of that day, in Washington, D. C. On that date the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 26, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may

concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 4 for the establishment of an additional price instruction in the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck, which shall read as follows: "All coal going through any one of the preparation plants listed below may be invoiced as having originated at said preparation plant, to-wit:

Ohio Mining Co., Mine Index 76 Kimberly Preparation Plant.
 Mine No. 6 Inc., Mine Index 109 Mine No. 6 Preparation Plant.
 New York Coal Co., Mine Index 90 Mine No. 25 Preparation Plant.
 Hocking Valley Mining Co., Mine Index 47 Eclipse Preparation Plant.
 Lorain Coal & Dock Co., Mine Index 21 Blaine Preparation Plant.
 Youghiogheny & Ohio Coal Co., Mine Index 99 Nelms Preparation Plant.
 Powhatan Mining Co., Mine Index 111 Powhatan Preparation Plant.
 U. S. Coal Co., Mine Index 43 Dun Glen Preparation Plant.
 U. S. Coal Co., Mine Index 157 Willow Grove Preparation Plant.
 Jefferson Coal Co., Mine Index 107 Piney Fork Preparation Plant.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
 Director.

[F. R. Doc. 43-3695; Filed, March 9, 1943; 11:42 a. m.]

[Docket No. A-302]

FORD COLLIERIES CO.

ORDER DISMISSING PETITION FOR RECONSIDERATION, AND REVOKING TEMPORARY RELIEF

In the matter of the petition of the Ford Collieries Company, a producer in District No. 2, for a reduction in the effective minimum prices in size groups 7 and 8 coals for shipment into market area 10.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by the Ford Collieries Company, a code member in District No. 2 requesting a reduction in the classification of the coals of petitioner's Berry Mine (Mine Index No. 12) and Francis Mine (Mine Index No. 72) in Size Groups 7 and 8, for shipment by rail to all destinations in Market Area 10, from "C" to "E", and a consequent reduction in the effective minimum price of said coals from \$2.05 to \$1.95 per ton; or, in the alternative, that such change be restricted to one consumer in Market Area 10, the Hammermill Paper Company. Petitions of intervention were filed by various persons.

Thereupon, on December 6, 1940, temporary relief, pending final disposition

of the petition, was granted by the Director as prayed in the petition.

Thereafter, pursuant to appropriate orders, and after notice to interested persons, a hearing was held before J. D. Dermody, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C., at which interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard.

The Examiner filed his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations, and petitioner filed exceptions to the Examiner's Report. These exceptions were duly considered.

On March 25, 1942, an Order was entered overruling petitioner's exceptions, approving and adopting the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner as the Findings of Fact and Conclusions of Law of the Acting Director, denying petitioner's prayers for relief, and revoking the temporary relief previously granted.

Thereupon, petitioner on April 8, 1942, moved to continue the effectiveness of the temporary relief pending its filing of a motion for reconsideration; and on April 11, 1942 an Order was entered suspending the effective date of the Order of March 25, 1942, until April 21, 1942.

On April 27, 1942, petitioner filed a petition for reconsideration of the Findings of Fact, Conclusions of Law, as adopted, and the Order dated March 25, 1942, requesting that the temporary relief previously granted, be continued, and on April 30, 1942 an Order was entered suspending the Order of March 25, 1942 until a determination of the petition for reconsideration of the Order of March 25, 1942.

On October 13, 1942, a Memorandum Opinion of the Director concerning the petition for reconsideration of the Order of March 25, 1942, was issued, wherein it was found, inter alia, that petitioner has not made an adequate showing that minimum prices for its coals are not properly related to District 2 "C" coals or to District 3 "F" coals, and petitioner was granted an opportunity to file within twenty days a petition seeking a re-coordination of its coals and certain District 3 coals.

By letter dated January 15, 1943, petitioner advised the Director that it is unable to adduce any further or different evidence and that petitioner does not intend to file a new petition.

The petitioner not having availed itself of the opportunity provided for by the Memorandum Opinion of the Director:

Now, therefore, it is ordered, That the petition of the Ford Collieries Company, for reconsideration of the Order of the Acting Director, dated March 25, 1942, denying relief and revoking temporary relief be and it hereby is dismissed;

It is further ordered, That the Order of the Acting Director, dated April 30, 1942 suspending the effective date of the Order of March 25, 1942 until a determination of the petition for reconsideration thereof be and the same hereby is revoked, and the temporary relief

granted herein, terminated as of the date hereof.

It is further ordered, That the Order of the Acting Director, dated March 25, 1942 be and the same hereby is in all other respects effective as of the date hereof.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3696; Filed, March 9, 1943;
11:42 a. m.]

[Docket No. B-299]

A. B. EWEN

ORDER DISMISSING COMPLAINT AND CANCEL-
LING HEARING

A complaint in the above-entitled matter having been filed with the Division on July 3, 1942, by the Bituminous Coal Producers Board for District No. 8, alleging that A. B. Ewen had wilfully violated the Bituminous Coal Act and rules and regulations thereunder; and

A hearing in the above-entitled matter, scheduled by Notice of and Order for Hearing dated September 14, 1942, having been indefinitely postponed by a subsequent Order of the Director to a date and place to be thereafter designated by an appropriate order; and

The Director having been informed of the death of said A. B. Ewen:

Now, therefore, it is ordered, That the said complaint filed herein be and the same is hereby dismissed, and that the aforesaid hearing in the above-entitled matter be, and the same hereby is, cancelled.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3697; Filed, March 9, 1943;
11:42 a. m.]

[Docket No. B-367]

FRANK DUNNING, INC.

ORDER POSTPONING HEARING

In the matter of Frank Dunning, Inc., Registered Distributor, Registration No. 2566.

The above-entitled matter having been heretofore scheduled for hearing at 10 o'clock in the forenoon of March 25, 1943, at a hearing room of the Bituminous Coal Division at Room 518, Bulkeley Building, Cleveland, Ohio; and

The Director deeming it advisable that said hearing should be postponed.

Now, therefore, it is ordered, That the said hearing, in the above-entitled matter be and the same hereby is postponed from 10 o'clock in the forenoon of March 25, 1943, to 10 o'clock in the forenoon of March 29, 1943, at the same place and before the same officer or officers as previously designated.

Dated: March 6, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3698; Filed, March 9, 1943;
11:42 a. m.]

DEPARTMENT OF AGRICULTURE.

Food Distribution Administration.

[Docket No. AO 71-A 8]

NEW YORK METROPOLITAN MARKETING
AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the New York Metropolitan Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Hotel St. George, Brooklyn, New York, beginning at 10 a. m., e. w. t., March 16, 1943, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. The amendments which have been proposed are set forth below:

Proposed by the Metropolitan Cooperative Milk Producers' Bargaining Agency, Inc., and Other Milk Producer Cooperative Associations

1. Amend § 927.2 (d) by adding a new subparagraph (10), as follows:

(10) The Market Administrator shall, from time to time, cause inspections to be made of the buildings, facilities and surroundings of plant, and shall notify handlers of his determination as to what constitutes the plant and its equipment. Such determination shall be ruling for all purposes under this order.

2. Delete § 927.7 (e) (4).

3. Amend § 927.4 by adding a new paragraph (d) as follows:

(d) *Re-locating differentials.* The minimum prices set forth in subparagraphs (5) to (13) inclusive of paragraph (a) of this section, as to all milk which was received from producers at a plant not having any equipment other than that needed for the receiving and shipping of milk, and which was moved to a second plant at least ½ mile from the first plant and there separated into cream and skim milk or manufactured, shall in recognition of the lesser actual value of such milk because of the necessity for its re-location, be subject to a minus differential in the sum of 17 cents per hundredweight, plus ¼ cent per hundredweight per mile for 20 miles and ⅒ cent per hundredweight per additional mile up to a total mileage of not to exceed 65 miles for the shortest highway distance between the two plants.

Proposed by the Dairy and Poultry Branch, Food Distribution Administration, United States Department of Agriculture

1. Delete § 927.4 (a) (13) and substitute therefor the following:

(13) For Class IV-B milk the price during each month shall be a price computed by the market administrator as follows: from the average of weekly quotations at the Wisconsin Cheese Exchange, Plymouth, Wisconsin, for Cheddars, or in the absence of such quotations for Cheddars, the weekly quotations at the Wisconsin Cheese Exchange for Twins, subtract 1 cent and multiply the result by 9; *Provided*, That during any delivery period when there is in effect an offer by the Commodity Credit Corporation to purchase American Cheddar cheese for resale to manufacturers, the price offered by the Commodity Credit Corporation shall be used in lieu of the aforesaid price of Cheddars or Twins.

On or about May 25, 1943, another public hearing will be held in connection with other proposed amendments to the New York metropolitan milk marketing order, which have been under consideration. For that reason, and because the proposed amendments scheduled for hearing on March 16, 1943 are such that they should be considered immediately, the March 16, 1943 hearing will be confined solely to the specific amendments. All interested persons who have any amendments which they desire to propose to the New York metropolitan milk marketing order, to be included in the notice covering the proposed hearing in May 1943, should file such amendments with the Director of Food Distribution, in accordance with the applicable rules of practice and procedure, not later than April 15, 1943.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: March 8, 1943.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary
of Agriculture.

[F. R. Doc. 43-3684; Filed, March 9, 1943;
11:17 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Order nullifying parts of Vesting Orders
13, 151 and 201]

PATENTS OF ENEMY NATIONALS

Whereas pursuant to Vesting Order Number 13 of May 29, 1942, as amended, the undersigned vested as property of nationals of a foreign country, among other things, all right, title and interest in and to patents numbered 2,185,970 and 2,195,351;

Whereas pursuant to Vesting Order Number 151 of September 17, 1942, the undersigned vested as property in which nationals of a foreign country or countries had interests, among other things, all right, title and interest in and to the patents identified as follows:

scribed, and all action taken by or on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.
Executed at Washington, D. C. on March 4, 1943.

[SEAL]
LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3677; Filed, March 9, 1943; 10:27 a. m.]

[Order Nullifying Part of Vesting Order 293]

PATENT APPLICATIONS OF ENEMY NATIONALS

Whereas, pursuant to Vesting Order Number 293 of November 2, 1942, the undersigned vested as property in which a national of a foreign country had an interest, among other things, the patent application identified as follows:

Serial No.	Filing date	Inventor	Title
374,425	1/15/41	P. Mercier	Exhaust manifolds for multi-cylindered aeroplane engines.

as though said patent application had never been included in said vesting order.
All provisions of said Vesting Order Number 293 relating to property other than the patent application hereinbefore described, and all action taken by or on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.
Executed at Washington, D. C. on March 4, 1943.

[SEAL]
LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3680; Filed, March 9, 1943; 10:27 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 8 Under § 1375.9 (c) of Rev. Maximum Export Reg.]

BUCKYRUS-ERIE COMPANY

ORDER GRANTING PETITION FOR RELIEF

Order No. 8 under § 1375.9 (c) of the Revised Maximum Export Price Regulation—Order Granting Petition for Relief

corporation, New York, New York, and that the instrument of assignment evidencing the conveyance to the latter corporation of title to said patents was recorded in the United States Patent Office on July 30, 1942, at Liber H-192, pages 321 through 343.

Now, therefore, That part of said Vesting Order Number 16 dealing with the aforesaid patents is hereby rescinded and declared null and void. The rescission herein contained shall be effective as of the date of issuance of the aforesaid vesting order and any right, title or interest in and to such patents held by any person or persons immediately prior to the issuance of such order shall be deemed to be restored to said person or persons to be held and enjoyed as though such patents had never been included in Vesting Order Number 16.

Any and all provisions of said Vesting Order Number 16 dealing with property other than the patents hereinbefore de-

vealed that the aforesaid patent application was, on November 2, 1942, in fact owned by General Aircraft Equipment, Inc., a Connecticut corporation, and that the instrument of assignment evidencing the conveyance to the latter corporation of title to said patent application was, pursuant to license issued by the United States Treasury, recorded in the United States Patent Office at Liber A-192, Page 104.

Whereas had the undersigned, on November 2, 1942, known the facts subsequently revealed and hereinbefore recited, he would not have included in such vesting order the aforesaid patent application.

Now, therefore, that part of said Vesting Order Number 293 pertaining to the aforesaid patent application is hereby rescinded and declared null and void. The rescission herein contained shall be effective as of the date of issuance of the aforesaid vesting order, and all right, title and interest in and to such patent application held by any and all persons immediately prior to the issuance of such order shall be deemed to be restored to said persons to be held and enjoyed

Patent Nos.	Patent dates	Inventors	Titles
2,074,883	3/23/37	H. Ziebold et al.	Method of and apparatus for controlling the flow of fluids.
2,134,745	11/1/38	H. Ziebold et al.	Method of and apparatus for proportioning the flow of fluids.
2,169,174	8/2/39	H. Ziebold et al.	Method of and apparatus for controlling the flow of fluids.
2,169,175	8/2/39	H. Ziebold et al.	Method of and apparatus for controlling the flow of fluids.

Whereas pursuant to vesting Order Number 201 of October 2, 1942, the undersigned vested as property in which a national of a foreign country had an interest, among other things, all rights, title and interest in and to the patent identified as follows:

Patent No.	Patent date	Inventor	Title
2,166,705	7/18/39	Askania Werke A. G.	Fluid pressure relay.

Whereas further investigation has revealed that, on the respective dates they were vested as aforesaid, all of the aforesaid patents stood of record in the United States Patent Office in the name of Askania Regulator Company, a corporation in the United States doing business at Chicago, Illinois, and were the sole property of such company, and the instruments of assignment evidencing the conveyances to the latter company of title to all of said patents had been recorded in the United States Patent Office.

under the authority thereof, are hereby ratified and confirmed.
Executed at Washington, D. C. on March 4, 1943.

[SEAL]
LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-3678; Filed, March 9, 1943; 10:27 a. m.]

[Order nullifying part of Vesting Order 16]

VESTING OF CERTAIN PATENTS

Whereas pursuant to Vesting Order Number 16 of June 4, 1942, the undersigned vested as property of a national of a foreign country, among other things, all right, title and interest in and to patents the titles to which, on that date, stood of record in the United States Patent Office in the name of Radioaktiengesellschaft D. S. Loewe and the numbers of which are as follows:

1,949,094	2,093,192	2,196,375
1,953,220	2,093,209	2,197,900
1,983,621	2,090,922	2,201,069
2,016,369	2,094,657	2,224,116
2,016,899	2,096,249	2,227,034
2,021,102	2,096,987	2,227,035
2,021,103	2,103,652	2,227,036
2,031,722	2,129,076	2,227,037
2,039,134	2,152,830	2,227,038
2,068,744	2,163,210	2,227,413
2,075,122	2,173,478	2,227,414
2,077,289	2,173,503	2,227,415
2,077,314	2,175,093	2,248,556
2,077,826	2,185,138	2,248,563;
2,081,344	2,191,185	

Whereas further investigation has revealed that the aforesaid patents were, on June 4, 1942, in fact owned by Radio Corporation of America, a New York

vesting orders numbered 13, 151 and 201 hereby rescinded and declared null and void. The rescission herein contained shall, with respect to each such vesting order, be effective as of the date of issuance of such order, and all right, title and interest in and to such patents held by any and all persons immediately prior to the issuance of such orders shall be deemed to be restored to said persons to be held and enjoyed as though said patents had never been included in said vesting orders.

All provisions of said vesting orders numbered 13, 151 and 201 relating to property other than the patents hereinbefore described, and all action taken by or on behalf of the undersigned in reliance thereon, pursuant thereto and

to The Bucyrus-Erie Company—Docket No. ME3-41.

On February 18, 1943, the Bucyrus-Erie Company, South Milwaukee, Wisconsin, filed a petition for relief from § 1375.9 (c) of the Revised Maximum Export Price Regulation, pursuant to the provisions of that section.

Due consideration has been given to the petition and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) The Bucyrus-Erie Company is authorized to invoice directly to the Administracion Nacional de Combustibles, Alcohol y Portland, Montevideo, Uruguay, at its distributor's price of \$624.69, f. a. s. New York certain repair parts for a power-driven shovel.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 8 shall become effective March 9, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3657; Filed, March 8, 1943;
3:32 p. m.]

[Order 9 Under § 1375.9 (c) of the Rev. Maximum Export Price Reg.]

SMITH, KIRKPATRICK & CO., INC.

ORDER GRANTING PETITION FOR RELIEF

Order No. 9 under § 1375.9 (c) of the Revised Maximum Export Price Regulation—Order Granting Petition for Relief to Smith, Kirkpatrick & Company, Inc.

On January 29, 1943, Smith, Kirkpatrick & Company, Inc. 65 Broadway, New York, New York, selling agents for the Cleveland Tractor Company, filed a petition for relief from § 1375.9 (c) of the Revised Maximum Export Price Regulation, pursuant to the provisions of that section.

Due consideration has been given to the petition and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) Smith, Kirkpatrick & Company, Inc. is authorized to invoice directly to the dealer in Mexico, five tractors and equipment, at a price of \$34,700, less \$500 if shipment is made unboxed, and less actual freight charges, if shipment is invoiced f. o. b. Cleveland, Ohio.

(b) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

No. 48—6

(c) This Order No. 9 shall become effective March 9, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3658; Filed, March 8, 1943;
3:33 p. m.]

[Order 6 Under MPR 121]

COAL PROCESSING CORPORATION

ORDER GRANTING ADJUSTMENT

Order No. 6 under Maximum Price Regulation No. 121—Miscellaneous Solid Fuels Delivered from Producing Facilities—Docket No. 3121-5.

For the reasons set forth in the opinion, issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.247a (b) of Maximum Price Regulation No. 121, *It is hereby ordered:*

(a) Coal Processing Corporation may add to its maximum prices for sales of briquettes produced at its plant located at Superior, Wisconsin, and in effect at the time of filing this application, the sum of 50 cents per ton f. o. b. producing facilities.

(b) At the opening of the 1943 lake season, Coal Processing Corporation may add to its said maximum prices, in addition to the sum of 50 cents per ton as set forth in paragraph (a) above, the increases permitted, if any, under Amendment No. 11, to Maximum Price Regulation No. 121.

(c) Within thirty (30) days from the effective date of this order, the said Coal Processing Corporation shall notify all persons purchasing its briquettes of the adjustments granted by paragraphs (a) and (b) of the order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of briquettes the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Revised Maximum Price Regulation No. 122.

(d) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(e) All prayers of the application not granted herein are denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.248 of Maximum Price Regulation No. 121 shall apply to the terms used herein.

(g) This Order No. 6 shall become effective March 8, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3674; Filed, March 8, 1943;
4:24 p. m.]

[Order 12 Under MPR 136, as Amended]

BUREAU OF SHIPS, NAVY DEPARTMENT

APPROVAL OF MAXIMUM PRICES

Adjustment of maximum prices under § 1390.25 (a) of Maximum Price Regulation No. 136, as amended—Machine Parts and Machinery Services—Order No. 12.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and in accordance with § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, and Procedural Regulation No. 6, *It is hereby ordered:*

(a) The Bureau of Ships of the Navy Department is hereby authorized to sell and deliver to Foundation Maritime, Limited, Pictou, Nova Scotia, the following described used crane, with accessories, at the price of \$12,726.48:

Bucyrus-Erie, Model 22 B, heavy duty crawler mounted clam shell crane with cab No. 258817, 50', 2-piece boom with tagline, fairlead assembled for dragline, Owen clam shell bucket type M 9939. Complete set of tools and powered by Buda gasoline engine, Model K 428, serial No. 253886.

(b) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 12 under § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, shall become effective March 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3659; Filed, March 8, 1943;
3:33 p. m.]

[Order 12 Under MPR 163]

STROUD TEXTILE PRODUCTS, LTD.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 12 under § 1410.119 of Maximum Price Regulation No. 163—Woolen or Worsted Civilian Apparel Fabrics.

The Stroud Textile Products, Ltd., of 200 Fifth Avenue, New York, New York, made application under § 1410.119 of Maximum Price Regulation No. 163 for authorization to determine maximum prices for its fabric, Style No. 1000. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is ordered:*

(a) On and after March 9, 1943, The Stroud Textile Products, Ltd. may sell and any person may buy from the Stroud Textile Products, Ltd. the fabric specified hereinbelow at prices not in excess of the following applicable maximum prices:

Style	Specification	Maximum price (per yard)
Range #1000.	Men's wear twist suiting; 100% wool; 14/14½ ounces in weight; 57/58 inches finished width; 20 ends and 10 picks; stock dyed blend; 2 ply warp and filling.	\$2.85

(b) If decorations are added to such fabric, the maximum price therefor established in paragraph (a) of this order shall be increased or decreased in accordance with the provisions in paragraph (h) of § 1410.102 of Maximum Price Regulation No. 163.

(c) The maximum price established in paragraph (a) of this order shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 12 may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective March 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3660; Filed, March 8, 1943;
3:30 p. m.]

[Order 195 Under MPR 188]

RESISTO PRODUCTS COMPANY

APPROVAL OF MAXIMUM PRICES

Approval of a maximum price for sales by Resisto Products Company of two furlough bags.

Order No. 195 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Resisto Products Company, 37-39 West 28th Street, New York, New York, is authorized to sell and deliver a 16" furlough bag, manufactured by it, at a price no higher than \$18.50 per dozen.

(b) Resisto Products Company, 37-39 West 28th Street, New York, New York, is authorized to sell and deliver a 20" furlough bag, manufactured by it, at a price no higher than \$20.50 per dozen.

17 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537.

(c) This Order No. 195 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 195 to Maximum Price Regulation No. 188 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3650; Filed, March 8, 1943;
12:21 p. m.]

[Order 196 Under MPR 188]

ANDERSON AND SONS

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales by Anderson & Sons, Westfield, Massachusetts, of a new game.

Order No. 196 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Anderson & Sons, Westfield, Massachusetts, is authorized to sell and deliver its new game, designated in its application of January 7, 1943, as "Sabotage", at prices, f. o. b. Westfield, Massachusetts, no higher than those set forth below:

To jobbers..... \$6.00 per dozen
To retailers..... 7.20 per dozen

(b) This Order No. 196 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 196 shall become effective on the 8th day of March 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3651; Filed, March 8, 1943;
12:24 p. m.]

[Order 197 Under MPR 188]

McKENZIE SERVICE, INC.

APPROVAL OF MAXIMUM PRICES

Approval of a maximum price for sales by McKenzie Service, Inc. of a set of cardboard photograph frames.

Order No. 197 under § 1499.158 of Maximum Price Regulation 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) McKenzie Service, Inc., 95 Norton Street, New York, New York, is authorized to sell and deliver a set of three

cardboard photograph frames, 10" x 12", 6½" x 8½", and 3¾" x 4¾", manufactured by it, at a price no higher than \$.38 per set.

(b) This Order No. 197 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 197 to Maximum Price Regulation 188 shall become effective March 9, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3652; Filed, March 8, 1943;
12:23 p. m.]

[Order 198 Under MPR 188]

ELCAR MANUFACTURING COMPANY

APPROVAL OF MAXIMUM PRICES

Approval of a maximum price for sales by Elcar Manufacturing Company, of a new stroller.

Order No. 198 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Elcar Manufacturing Company, 1248 Reedsdale Street, Pittsburgh, Pennsylvania, is authorized to sell and deliver its new stroller, designated as "El-Car", at prices to jobbers, f. o. b. Pittsburgh, Pennsylvania, no higher than \$5.50 per unit.

(b) This Order No. 198 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 198 shall become effective on the 9th day of March, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3653; Filed, March 8, 1943;
12:23 p. m.]

[Order 199 Under MPR 188]

OLSAN RIVERSIDE FURNITURE COMPANY

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales by Olsan's Riverside Furniture Company, Riverside, California, of a new stroller.

Order No. 199 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Olsan's Riverside Furniture Company, 3607 Ninth Street—Corner Orange, Riverside, California, is authorized to sell and deliver its new stroller, described in its application of December 15, 1942, at prices to dealers, f. o. b. Riverside, California, no higher than those set forth below:

	Each
Using hard wood.....	\$7.60
Using semi-hard wood.....	6.50
Using soft wood.....	6.00

(b) This Order No. 199 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 199 shall become effective on the 9th day of March 1943. Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3654; Filed, March 8, 1943; 12:23 p. m.]

[Order 201 Under MPR 188]

ELECTRIC CORPORATION OF AMERICA

APPROVAL OF MAXIMUM PRICES

Approval of maximum prices for sales by Electric Corporation of America of a plaster "Service Picture Frame" and a plaster "Military Plaque."

Order No. 201, under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Electric Corporation of America is authorized to sell and deliver a plaster "Service Picture Frame" manufactured by it, at prices, F. O. B. Chicago, Illinois, no higher than those set forth below:

- \$.45 each to jobbers.
- \$.50 each to chain stores.

(b) Electric Corporation of America is authorized to sell and deliver a plaster "Military Plaque" manufactured by it, at prices, F. O. B. Chicago, Illinois, no higher than those set forth below:

- \$.45 each to jobbers.
- \$.50 each to chain stores.

(c) This Order No. 201 may be revoked or amended by the Price Administrator at any time.

This Order No. 201 shall become effective the 9th day of March 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3655; Filed, March 8, 1943; 12:26 p. m.]

[Order 1 Under MPR 206]

POMONA TERRA COTTA CO.

AUTHORIZATION OF MAXIMUM PRICE

Order No. 1 under Maximum Price Regulation No. 206—Vitrified Clay Sewer

Pipe and Allied Products—Docket No. GF3-3083.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, and Procedural Regulation No. 6, *It is hereby ordered, That:*

(a) Specific authority is hereby granted Pomona Terra Cotta Company of Pomona, North Carolina, to sell, deliver, invoice and receive payment for 12,400 feet of 24 inch vitrified clay sewer pipe sold to the United States Army Engineer Corps under contract dated December 18, 1942, and identified as contract W-436-ENG-9291, at a price not in excess of \$1.50 per foot f. o. b. Greensboro, North Carolina.

(b) The Applicant, Pomona Terra Cotta Company, shall submit such reports relating to the contract described in paragraph (a) hereof to the Office of Price Administration as it may from time to time require.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 1 shall become effective March 9, 1943.

Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3647; Filed, March 8, 1943; 12:26 p. m.]

[Order 73 Under RPS 64]

LOCKE STOVE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 73 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

Approval of maximum prices for Locke Stove Company, 114 West Eleventh Street, Kansas City, Missouri.

On December 30, 1942, the Locke Stove Company, 114 West Eleventh Street, Kansas City, Missouri, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for a new model coal heater, designated in the application as the "Victory Model Semi-Circulator Warm Morning coal heating stove," hereinafter referred to as the Victory Semi-Circulator.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Locke Stove Company may sell, offer to sell, transfer or deliver the Victory Semi-Circulator at a price no higher than the following:

To distributors, in carload lots, delivered

\$26.87—in the New England States (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut).

\$25.84—in the Rocky Mountain States and Pacific Coast States (Montana, Wyoming, Colorado, New Mexico, Idaho, Utah, Nevada, Arizona, Washington, Oregon, and California).

\$24.58—in all other States (designated as the Central and Eastern states).

To distributors, in less than carload lots, delivered

\$29.60—in the New England, Rocky Mountain, and Pacific Coast States.

\$27.60—in all other states.

To dealers, delivered

\$34.47—in the New England, Rocky Mountain, and Pacific Coast states.

\$32.47—in all other states.

subject to allowances, and terms no less favorable than those in effect with respect to the comparable model 120 Radiant as established under the schedule.

(b) Before delivering the Victory Semi-Circulator, the Locke Stove Company shall attach securely to the stove so that it is clearly visible, a durable tag or label bearing in easily readable lettering, the following statement:

Retail Ceiling Price for this Victory Model Semi-Circulator Warm Morning Coal Heating Stove:

\$51.95—in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Montana, Wyoming, Colorado, New Mexico, Idaho, Utah, Nevada, Arizona, Washington, Oregon, and California.

\$49.95—in all other States.

This tag may not be removed until after delivery to the purchaser.

(c) Distributors may sell and deliver the Victory Semi-Circulator manufactured by the Locke Stove Company at a price no higher than the following:

To dealers, delivered

\$34.47—in the New England, Rocky Mountain and Pacific Coast States.

\$32.47—in all other States.

subject to allowances and terms no less favorable than those in effect with respect to the comparable model 120 Radiant as established under the Schedule.

(d) Dealers may sell and deliver the Victory Semi-Circulator manufactured by the Locke Stove Company to consumers at a price no higher than the following:

\$51.95—in the New England States, Rocky Mountain, and Pacific Coast States.

\$49.95—in all other States.

These maximum prices do not include any amount for installation or delivery by the dealer to the consumer.

(e) This Order No. 73 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(g) This Order No. 73 shall become effective on the 8th day of March, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3649; Filed, March 8, 1943; 12:24 p. m.]

[Order 74 Under RPS 64]

WILSON STOVE AND MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 74 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

Approval of maximum prices for Wilson Stove and Manufacturing Company, Inc., Metropolis, Illinois.

On January 14, 1943, the Wilson Stove and Manufacturing Company, Inc., Metropolis, Illinois, completed an application pursuant to Section 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for three models of coal heating stoves and one model wood heating stove, designated in the application as models V14, V16, V18, and V26C, respectively.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Wilson Stove and Manufacturing Company may sell, offer to sell, transfer or deliver its models V14, V16, V18, and V26C at prices no higher than the following, subject to allowances and terms no less favorable than those in effect with respect to the comparable models C14, C16, C18, and 26C, respectively, as established under Revised Price Schedule No. 64:

Model	Price	Description
V14	\$7.30 f. o. b. factory to dealers.	
V14	\$5.84 f. o. b. factory to distributors and wholesalers.	
V16	\$8.85 f. o. b. factory to dealers.	
V16	\$7.08 f. o. b. factory to distributors and wholesalers.	
V18	\$11.94 f. o. b. factory to dealers.	
V18	\$9.55 f. o. b. factory to distributors and wholesalers.	
V26C	\$7.81 f. o. b. factory to dealers.	
V26C	\$6.25 f. o. b. factory to distributors and wholesalers.	

(b) This Order No. 74 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 74 shall become effective on the 9th day of March 1943. Issued this 8th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3661; Filed, March 8, 1943; 3:32 p. m.]

[Order 7 Under Rev. Maximum Export Price Reg.]

BALDWIN LOCOMOTIVE WORKS

ORDER GRANTING PETITION FOR RELIEF

Order No. 7 under § 1375.9 (c) of the Revised Maximum Export Price Regulation—Order Granting Petition for Relief to the Baldwin Locomotive Works—Docket No. ME3-23.

On February 18, 1943, the Baldwin Locomotive Works, Eddystone, Pennsyl-

vania, filed an amended petition for relief from § 1375.9 (c) of the Revised Maximum Export Price Regulation, pursuant to the provisions of that section.

Due consideration has been given to the petition and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) The Baldwin Locomotive Works is authorized to invoice directly to Estrada de Ferro de Goiaz, Santos, Brazil, one overhead crane with runway rails and wiring, at a price of \$15,000, c. i. f. Santos, Brazil.

(b) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 7 shall become effective March 8, 1943.

Issued this 6th day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3648; Filed, March 8, 1943; 12:25 p. m.]

Regional Office, Region I.

[Amendment 4 to Emergency Order 4 Under Ration Order 11]

FUEL OIL SHORTAGE IN GREATER BOSTON AREA AND CONNECTICUT

Pursuant to the authority conferred upon the Regional Administrator by § 1394.6715 of Ration Order No. 11 as amended, Emergency Order No. 4 is amended as follows: in paragraph (c) (4), subdivisions (iv), (v), (vi) and (vii), the phrase "Schedule A of Petroleum Administrative Order No. 3" is amended to read "Schedule A of Petroleum Distribution Order No. 3, as amended"; the last paragraph of paragraph (c) (4) and paragraph (c) (13) are amended, to read as follows:

(c) Order. * * *

(4) List of priorities of transfers and deliveries. * * *

The numerical arrangement of the foregoing list does not indicate priority of any consumer over any other consumer on such list: *Provided*, That any dealer may refuse to make deliveries to consumers other than those described in subdivisions (i), (ii) and (iii) whenever, from the state of his inventory and his anticipated receipts, he in good faith believes that he will be unable to continue to satisfy the requirements of consumers specified in such paragraphs for the five days next following: *And provided further*, That if at any time the supply is insufficient to meet the requirements of the entire list the Director of Region I of the War Production Board or his duly authorized representative may prescribe the order and extent of priority in which consumers referred to in subdivisions (iv), (v), (vi) and (vii) shall be supplied.

(13) *Effective period*. Emergency Order No. 4 shall terminate at 12:00 p. m., March 13, 1943 unless extended by further order.

Effective date of Amendment 4. Amendment 4 to Emergency Order No. 4 shall be effective at 12:00 p. m., March 3, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 3d day of March 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-3673; Filed, March 8, 1943; 4:24 p. m.]

[Amendment 3 to Emergency Order 5, Under Ration Order 11]

RESIDUAL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11 as amended, Emergency Order No. 5 is amended as follows: in paragraph (c) (4), Subdivisions (iv), (v), (vi) and (vii), the phrase "Schedule A of Petroleum Administrative Order No. 3" is amended to read "Schedule A of Petroleum Distribution Order No. 3, as amended"; the last paragraph of paragraph (c) (4) and paragraph (c) (13) are amended, to read as follows:

(c) Order. * * *

(4) List of priorities of transfers and deliveries. * * *

The numerical arrangement of the foregoing list does not indicate priority of any consumer over any other consumer on such list, *Provided*, That any dealer may refuse to make deliveries to consumers other than those described in Subdivisions (i), (ii) and (iii) whenever, from the state of his inventory and his anticipated receipts, he in good faith believes that he will be unable to continue to satisfy the requirements of consumers specified in such paragraphs for the five days next following. *And provided further*, That if at any time the supply is insufficient to meet the requirements of the entire list the Director of Region I of the War Production Board or his duly authorized representative may prescribe the order and extent of priority in which consumers referred to in Subdivisions (iv), (v), (vi) and (vii) shall be supplied.

(13) *Effective period*. Emergency Order No. 5 shall terminate at 12:00 p. m., March 13, 1943 unless extended by further order.

Effective date of Amendment 3. Amendment 3 to Emergency Order No. 5 shall be effective at 12:00 p. m. March 3, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719; Ration Order No. 11, 7 F.R. 8480)

Issued this 3d day of March 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-3672; Filed, March 8, 1943; 4:24 p. m.]